



Washington State Energy Facility Site Evaluation Council (EFSEC)



These Slides Are Intended for Illustrative Purposes Only and Do Not Represent the Official Position of EFSEC on Any Individual Project



Background

- EFSEC formed in 1970 to provide **centralized siting** and **permitting** for energy facilities (generally thermal power plants).
- Today large-scale thermal power plants, nuclear facilities, natural gas and oil pipelines, oil refineries, and underground natural gas storage fields are only facilities **requiring** certification.
- Council consists of members from **state agencies** and **local government**.
- EFSEC develops recommendation to the Governor and **Governor's office makes final decision**.
- The final decision **preempts** other **state** and **local government** decisions.



Council Membership (RCW 80.50.030)

- **Chair** – Governor Appointee
 - *Kathleen Drew*
- **Dept. of Ecology**
 - *Eli Levitt*
- **Dept. of Fish & Wildlife**
 - *Mike Livingston*
- **Dept. of Commerce**
 - *Kate Kelly*
- **Dept. of Natural Resources**
 - *Lenny Young*
- **Utilities & Transportation Commission**
 - *Stacey Brewster*
- **Optional application review members:**
 - Dept. of Agriculture
 - Dept. of Transportation
 - *Paul Gonseth*
 - Dept. of Health
 - Military Dept.
- **Local Government application review (City and County)**
 - *Dave Sharp*
- **Port District application review – nonvoting**
 - for application review



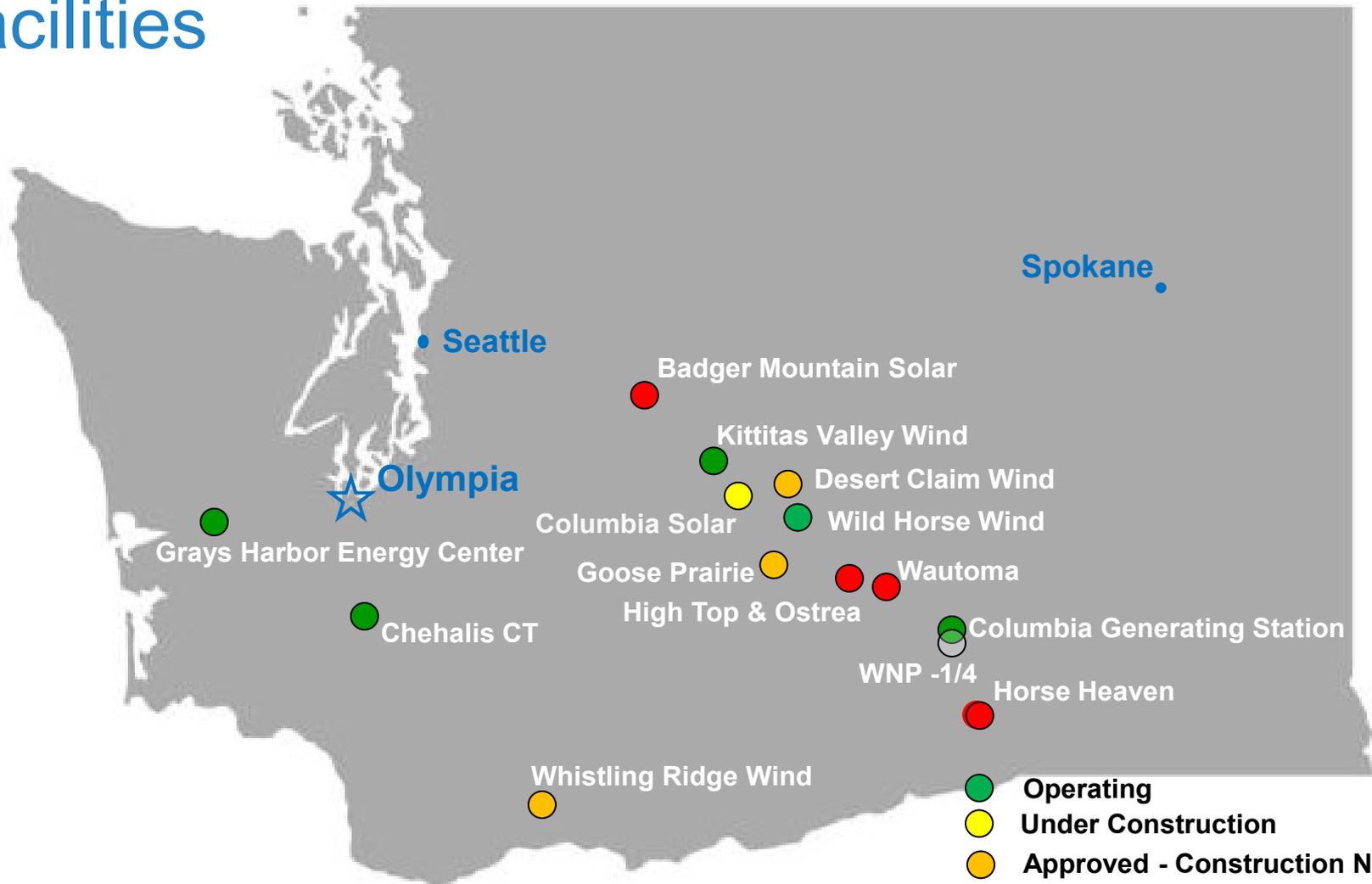
Facilities (RCW 80.50.020)

- **Energy Facilities that can be Certified via EFSEC:**

- Any nuclear power facility where the primary purpose is to produce and sell electricity.
- Non hydro, non-nuclear thermal power plants 350MW or greater.
- Clean energy product manufacturing facilities related to clean energy production and transport. (RCW 80.50.020(23))
- Alternative energy resources (Renewable Green or electrolytic Hydrogen production facilities (RCW 80.50.020 (1)(g)), wind, solar, geothermal, wave/tidal, landfill gas, biomass, etc.) “any size may opt-in”.
- Transmission Lines greater than 115kV may “opt-in”.
- Pipelines
- Refineries and Storage Facilities



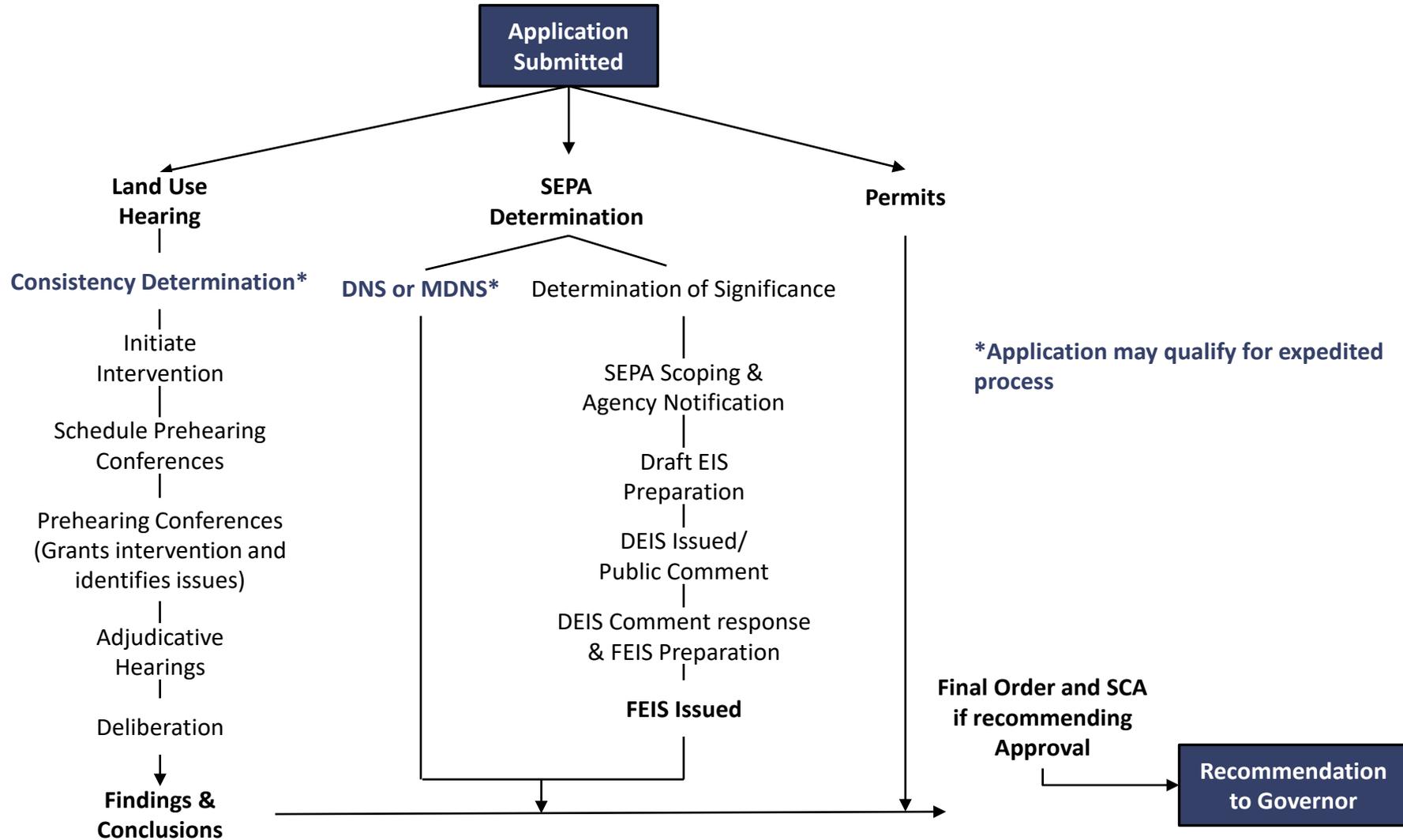
Facilities



- Operating
- Under Construction
- Approved - Construction Not Started
- Application Under Review
- Decommissioning

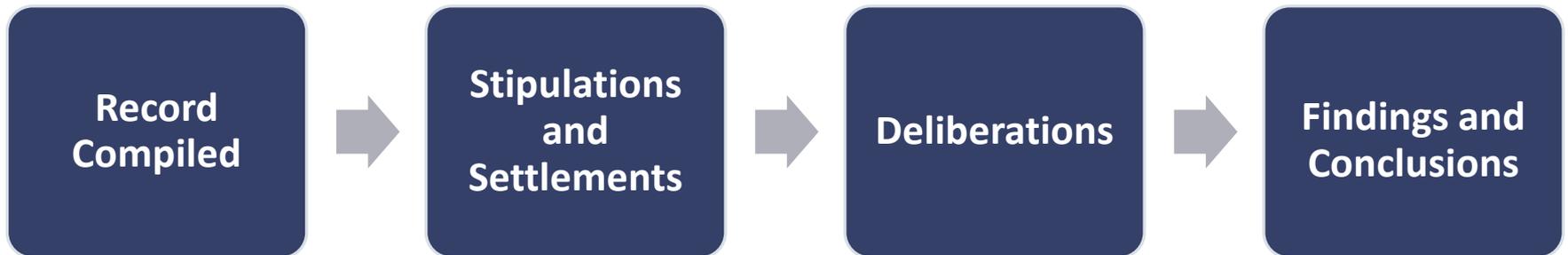


Site Certification Process





Adjudicative Proceedings (WAC 463-30)





SEPA Threshold Determination (WAC 463-47)

Determination of Significance

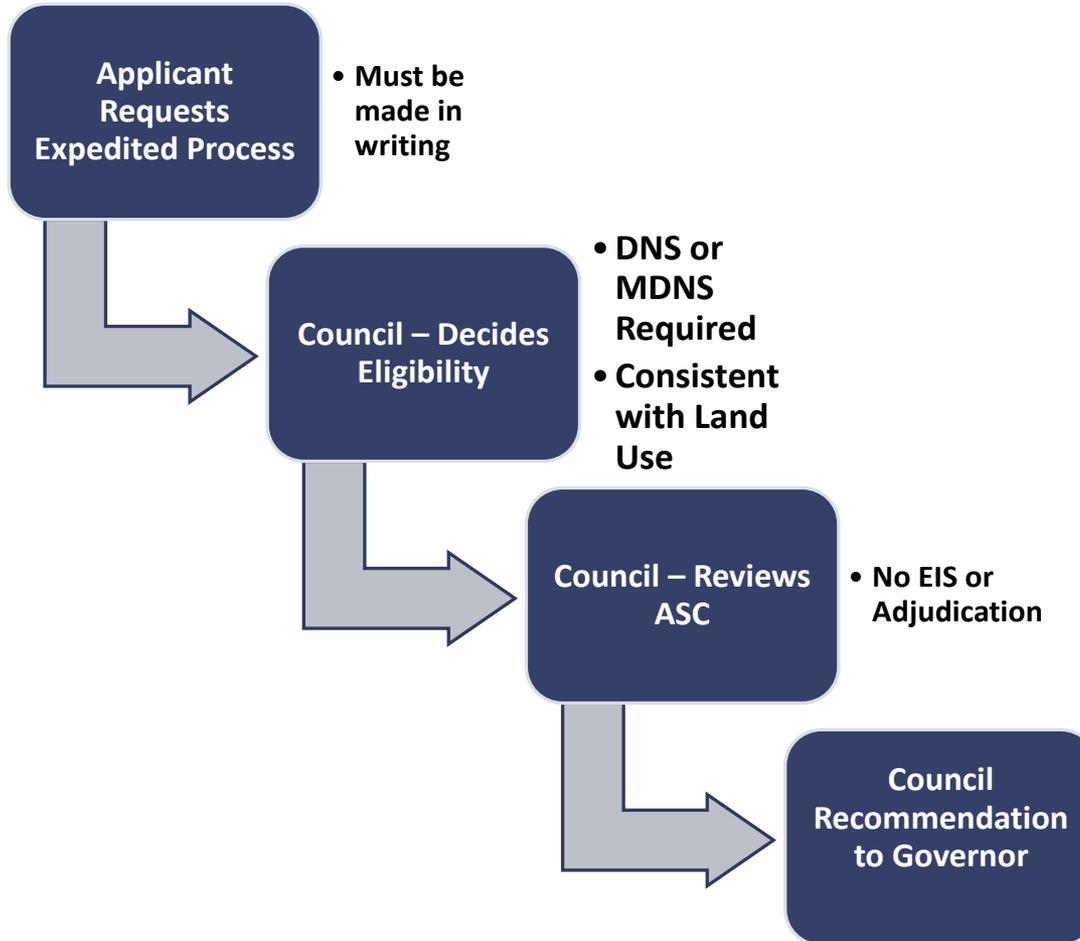
- Scoping – Public Comment
- Issue DEIS – Public Comment
- Issue Final EIS

Determination of Non-Significance (DNS) or Mitigated DNS (MDNS)

- EIS Not Required
- Determination noticed to public
- Determination issued



Siting Process – Expedited (WAC 463-43)





Permit Issuance (WAC 463-76, Water; WAC 463-78, Air)

- EFSEC becomes agency for permits otherwise issued by a variety of agencies within the state (e.g., water quality, air quality, etc.)
- EFSEC issues and monitors compliance with
 - Water Quality Permits
 - Air Quality Permits
 - Any other applicable permits that would typically be issued by a state agency



Recommendation to the Governor (RCW 80.50.100)

- The Council makes a recommendation to approve or reject an application
- Within 60 days of receipt of the Council's recommendation, the Governor must:
 1. Approve the application and execute the draft certification agreement;
 2. Reject the application; or
 3. Remand the recommendation to the council for reconsideration.
- Any application rejected by the Governor is FINAL as to that application



Compliance Monitoring and Enforcement

(RCW 80.50.150; WAC 463-70)

- State and Local agencies contracted to assist EFSEC Staff in monitoring compliance with:
 - Site Certification Agreement Requirements
 - Permits
 - EIS or MDNS stipulated mitigation
- EFSEC has enforcement authority, including the issuance of penalties, for all facilities issued site certification agreements and associated permits.



House Bill (HB) 1812 Overview

- **Highlights of recently passed legislation:**
 - New project types can come before EFSEC
 - Increased tribal consultation and equity
 - Streamlined review processes (without reducing standards)
 - Greater transparency
 - Creation of an independent agency



Public Input

- **Verbal comment sign up**

Email efsec@efsec.wa.gov

Call (360) 664-1345

- **Mail**

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