

RCW 43.21K.060 Terms and conditions of agreements. An environmental excellence program agreement must contain the following terms and conditions:

- (1) An identification of all legal requirements that are superseded or replaced by the environmental excellence program agreement;
- (2) A description of all legal requirements that are enforceable as provided in RCW 43.21K.110(1) that are different from those legal requirements applicable in the absence of the environmental excellence program agreement;
- (3) A description of the voluntary goals that are or will be pursued by the sponsor;
- (4) A statement describing how the environmental excellence program agreement will achieve the purposes of this chapter;
- (5) A statement describing how the environmental excellence program agreement will be implemented, including a list of steps and an implementation schedule;
- (6) A statement that the proposed environmental excellence program agreement will not increase overall worker safety risks or cause an unjust or disproportionate and inequitable distribution of environmental risks among diverse economic and cultural communities;
- (7) A summary of the stakeholder process that was followed in the development of the environmental excellence program agreement;
- (8) A statement describing how any participating facility shall measure and demonstrate its compliance with the environmental excellence program agreement including, without limitation, a description of the methods to be used to monitor performance, criteria that represent acceptable performance, and the method of reporting performance to the public and local communities. The facility's compliance with the agreement must be independently verifiable;
- (9) A description of and plan for public participation in the implementation of the environmental excellence program agreement and for public access to information needed to assess the benefits of the environmental excellence program agreement and the sponsor's compliance with the environmental excellence program agreement;
- (10) A schedule of periodic performance review of the environmental excellence program agreement by the directors that signed the agreement;
- (11) Provisions for voluntary and involuntary termination of the agreement;
- (12) The duration of the environmental excellence program agreement and provisions for renewal;
- (13) Statements approving the environmental excellence program agreement made by the sponsor and by or on behalf of directors of each state, regional, or local agency administering legal requirements that are identified according to subsection (1) of this section;
- (14) Additional terms as requested by the directors signing the environmental excellence program agreement and consistent with this chapter;
- (15) Draft permits or permit modifications as needed to implement the environmental excellence program agreement;
- (16) With respect to a programmatic environmental excellence program agreement, a statement of the method with which to identify and document the specific commitments to be made by individual participants. [1997 c 381 § 7.]