



**RULE-MAKING ORDER  
(RCW 34.05.360)**

**CR-103 (7/10/97)**

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

**Agency:** Energy Facility Site Evaluation Council

**(1) Date of Adoption** December 8, 1997

**(2) Purpose**

The amendment adds a definition of a term which has previously been used without definition.

**(3) Citation of existing rules affected by this order:**

Repealed:

Amended: WAC 463-10-010

Suspended:

**(4) Statutory authority for adoption:** RCW 80.50.040(1)

Other authority:

**PERMANENT RULE ONLY (including EXPEDITED ADOPTION)**

Adopted under notice filed as WSR 97-19-057 on 09/15/97 (date).

Describe any changes other than editing from proposed to adopted version:

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

(a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**EXPEDITED REPEAL ONLY**

Under Preproposal Statement of Inquiry filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).

**(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes If Yes, explain:

No

**(6) Effective date of rule:**

**Permanent Rules  
Expedited Rule Making**

31 days after filing

Other (specify)

**Emergency Rules**

Immediately

Later

**NAME (TYPE OR PRINT)**

C. Robert Wallis

**SIGNATURE**

**TITLE**

Acting Chair

**DATE**

12/08/97

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

DEC 12 1997

434

TIME

WSR

98-01-080

PA

NOTE: If any category is left blank, it will be calculated as zero.  
No descriptive text.

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	<u>0</u>	Repealed	___
Federal rules or standards:	New	___	Amended	<u>0</u>	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>0</u>	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	<u>0</u>	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>0</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>0</u>	Repealed	___

AMENDATORY SECTION (Amending WSR 91-03-090, filed 1/18/91, effective 2/18/91)

**WAC 463-10-010 Definitions.** Except where otherwise indicated in the following chapters, the following terms have the meaning shown:

(1) "Council" refers to the energy facility site evaluation council created pursuant to chapter 80.50 RCW and, where appropriate, to the staff of the council.

(2) "Applicant" means the person or entity making application for a certification or permit covered by this title.

(3) "Adjudicative proceeding" means a proceeding conducted pursuant to RCW 80.50.090(3) and the state Administrative Procedure Act.

(4) "Certificate holder" means a person or entity who is signatory to a site certification agreement, which has been approved by the council and signed by the governor, and who is bound by the terms therein.