
HOUSE BILL 1382

State of Washington

57th Legislature

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By Representatives Cooper, Dunshee, McIntire, Simpson, Conway, Kenney and Reardon

Read first time 01/24/2001. Referred to Committee on Technology, Telecommunications & Energy.

1 AN ACT Relating to energy facilities subject to the energy
2 facility site evaluation council; and amending RCW 80.50.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 80.50.020 and 1995 c 69 s 1 are each amended to read
5 as follows:

6 (1) "Applicant" means any person who makes application for a
7 site certification pursuant to the provisions of this chapter;

8 (2) "Application" means any request for approval of a
9 particular site or sites filed in accordance with the procedures
10 established pursuant to this chapter, unless the context otherwise
11 requires;

12 (3) "Person" means an individual, partnership, joint venture,
13 private or public corporation, association, firm, public service
14 company, political subdivision, municipal corporation, government
15 agency, public utility district, or any other entity, public or
16 private, however organized;

17 (4) "Site" means any proposed or approved location of an energy
18 facility;

1 (5) "Certification" means a binding agreement between an
2 applicant and the state which shall embody compliance to the
3 siting guidelines, in effect as of the date of certification,
4 which have been adopted pursuant to RCW 80.50.040 as now or
5 hereafter amended as conditions to be met prior to or concurrent
6 with the construction or operation of any energy facility;

7 (6) "Associated facilities" means storage, transmission,
8 handling, or other related and supporting facilities connecting an
9 energy plant with the existing energy supply, processing, or
10 distribution system, including, but not limited to,
11 communications, controls, mobilizing or maintenance equipment,
12 instrumentation, and other types of ancillary transmission
13 equipment, off-line storage or venting required for efficient
14 operation or safety of the transmission system and overhead, and
15 surface or subsurface lines of physical access for the inspection,
16 maintenance, and safe operations of the transmission facility and
17 new transmission lines constructed to operate at nominal voltages
18 in excess of 200,000 volts to connect a thermal power plant to the
19 northwest power grid: PROVIDED, That common carrier railroads or
20 motor vehicles shall not be included;

21 (7) "Transmission facility" means any of the following together
22 with their associated facilities:

23 (a) Crude or refined petroleum or liquid petroleum product
24 transmission pipeline of the following dimensions: A pipeline
25 larger than six inches minimum inside diameter between valves for
26 the transmission of these products with a total length of at least
27 fifteen miles;

28 (b) Natural gas, synthetic fuel gas, or liquified petroleum gas
29 transmission pipeline of the following dimensions: A pipeline
30 larger than fourteen inches minimum inside diameter between
31 valves, for the transmission of these products, with a total
32 length of at least fifteen miles for the purpose of delivering gas
33 to a distribution facility, except an interstate natural gas
34 pipeline regulated by the United States federal power commission;

35 (8) "Independent consultants" means those persons who have no
36 financial interest in the applicant's proposals and who are
37 retained by the council to evaluate the applicant's proposals,
38 supporting studies, or to conduct additional studies;

1 (9) "Thermal power plant" means, for the purpose of
2 certification, any electrical generating facility using any fuel,
3 including nuclear materials, for distribution of electricity by
4 electric utilities;

5 (10) "Energy facility" means an energy plant or transmission
6 facilities: PROVIDED, That the following are excluded from the
7 provisions of this chapter:

8 (a) Facilities for the extraction, conversion, transmission or
9 storage of water, other than water specifically consumed or
10 discharged by energy production or conversion for energy purposes;
11 and

12 (b) Facilities operated by and for the armed services for
13 military purposes or by other federal authority for the national
14 defense;

15 (11) "Council" means the energy facility site evaluation
16 council created by RCW 80.50.030;

17 (12) "Counsel for the environment" means an assistant attorney
18 general or a special assistant attorney general who shall
19 represent the public in accordance with RCW 80.50.080;

20 (13) "Construction" means on-site improvements, excluding
21 exploratory work, which cost in excess of two hundred fifty
22 thousand dollars;

23 (14) "Energy plant" means the following facilities together
24 with their associated facilities:

25 (a) Any stationary thermal power plant with generating capacity
26 of (~~two hundred fifty~~) one hundred thousand kilowatts or more,
27 measured using maximum continuous electric generating capacity,
28 less minimum auxiliary load, at average ambient temperature and
29 pressure, and floating thermal power plants of fifty thousand
30 kilowatts or more, including associated facilities;

31 (b) Facilities which will have the capacity to receive
32 liquified natural gas in the equivalent of more than one hundred
33 million standard cubic feet of natural gas per day, which has been
34 transported over marine waters;

35 (c) Facilities which will have the capacity to receive more
36 than an average of fifty thousand barrels per day of crude or
37 refined petroleum or liquified petroleum gas which has been or

1 will be transported over marine waters, except that the provisions
2 of this chapter shall not apply to storage facilities unless
3 occasioned by such new facility construction;

4 (d) Any underground reservoir for receipt and storage of
5 natural gas as defined in RCW 80.40.010 capable of delivering an
6 average of more than one hundred million standard cubic feet of
7 natural gas per day; and

8 (e) Facilities capable of processing more than twenty-five
9 thousand barrels per day of petroleum into refined products;

10 (15) "Land use plan" means a comprehensive plan or land use
11 element thereof adopted by a unit of local government pursuant to
12 chapters 35.63, 35A.63, or 36.70 RCW;

13 (16) "Zoning ordinance" means an ordinance of a unit of local
14 government regulating the use of land and adopted pursuant to
15 chapters 35.63, 35A.63, or 36.70 RCW or Article XI of the state
16 Constitution.

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