
ENGROSSED SUBSTITUTE SENATE BILL 5470

State of Washington

65th Legislature

2017 Regular Session

By Senate Energy, Environment & Telecommunications (originally sponsored by Senators Brown, Hobbs, Rivers, Becker, Takko, Ericksen, Honeyford, and Schoesler)

READ FIRST TIME 02/10/17.

1 AN ACT Relating to advancing the development of renewable energy
2 by improving the permitting process for geothermal resources
3 exploration; and amending RCW 78.60.010, 78.60.070, and 78.60.120.

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

5 **Sec. 1.** RCW 78.60.010 and 1974 ex.s. c 43 s 1 are each amended
6 to read as follows:

7 The public has a direct interest in the safe, orderly, and nearly
8 pollution-free development of the geothermal resources of the state,
9 as ((hereinafter in RCW 79.76.030(1))) defined in RCW 78.60.030. The
10 legislature hereby declares that it is in the best interests of the
11 state to further the development of geothermal resources for the
12 benefit of all of the citizens of the state while at the same time
13 fully providing for the protection of the environment. The
14 development of geothermal resources shall be so conducted as to
15 protect the rights of landowners, other owners of interests therein,
16 and the general public. In providing for such development, it is the
17 purpose of this chapter to provide for the orderly exploration, safe
18 drilling, production, and proper abandonment of geothermal resources
19 in the state of Washington.

1 **Sec. 2.** RCW 78.60.070 and 2007 c 338 s 1 are each amended to
2 read as follows:

3 (1) Any person proposing to drill a well or redrill an abandoned
4 well for geothermal resources shall file with the department a
5 written application for a permit to commence such drilling or
6 redrilling on a form prescribed by the department accompanied by a
7 permit fee of two hundred dollars. The department shall forward a
8 duplicate copy to the department of ecology within ten days of
9 filing.

10 (2) Upon receipt of a proper application relating to drilling
11 (~~(or redrilling the department shall set a date, time, and place for~~
12 ~~a public hearing on the application, which hearing shall be in the~~
13 ~~county in which the drilling or redrilling is proposed to be made,~~
14 ~~and shall instruct the applicant to publish notices of such~~
15 ~~application and hearing by such means and within such time as the~~
16 ~~department shall prescribe. The department shall require that the~~
17 ~~notice so prescribed shall be published twice in a newspaper of~~
18 ~~general circulation within the county in which the drilling or~~
19 ~~redrilling is proposed to be made and in such other appropriate~~
20 ~~information media as the department may direct)) a well under this
21 section, the department must review the application as the lead
22 agency under the state environmental policy act, chapter 43.21C RCW,
23 if applicable.~~

24 (3) Any person proposing to drill a core hole for the purpose of
25 gathering geothermal data, including but not restricted to heat flow,
26 temperature gradients, and rock conductivity, shall be required to
27 obtain a single permit (~~(for each))~~ covering all core holes according
28 to subsection (1) of this section, including a single permit fee
29 (~~(for each core hole, but no notice need be published, and no hearing~~
30 ~~need be held. Such core holes that penetrate more than seven hundred~~
31 ~~and fifty feet into bedrock shall be deemed geothermal test wells and~~
32 ~~subject to the payment of a permit fee and to the requirement in~~
33 ~~subsection (2) of this section for public notices and hearing. In the~~
34 ~~event geothermal energy is discovered in a core hole, the hole shall~~
35 ~~be deemed a geothermal well and subject to the permit fee, notices,~~
36 ~~and hearing)). Such core holes as described by this subsection are~~
37 subject to all other provisions of this chapter, including a bond or
38 other security as specified in RCW 78.60.130.

39 (4) All moneys paid to the department under this section shall be
40 deposited with the state treasurer for credit to the general fund.

1 **Sec. 3.** RCW 78.60.120 and 1974 ex.s. c 43 s 12 are each amended
2 to read as follows:

3 (1) Before any operation to plug and abandon or suspend the
4 operation of any well is commenced, the owner or operator shall
5 submit in writing a notification of abandonment or suspension of
6 operations to the department for approval. No operation to abandon or
7 suspend the operation of a well shall commence without approval by
8 the department. The department shall respond to such notification in
9 writing within ten working days following receipt of the
10 notification.

11 (2) Failure to abandon or suspend operations in accordance with
12 the method approved by the department shall constitute a violation of
13 this chapter, and the department shall take appropriate action under
14 the provisions of RCW (~~(79.76.270)~~) 78.60.270.

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