

FROM: Thermal Power Plant Site Evaluation Council  
(Name of Agency)

TO: CODE REVISER  
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)  
Olympia 98501

The enclosed Permanent rules  , being order No. 2-72  
Emergency rules   
relating to (Name of rules or description of subject matter)

1. WAC 463-08- Rules of Practice
2. WAC 463-12 Guidelines for Applicants Seeking Thermal Power Plant Certification

(ALTERNATIVE A. Use only for adoption of permanent rules)

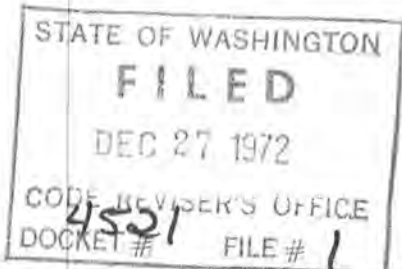
pursuant to Notice No. 3728 <sup>①</sup> filed with the code reviser on 11-2-72 <sup>②</sup> were regularly adopted as permanent rules of this agency at Olympia, Washington on 12-11-72 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be 30 days <sup>③</sup> after filing.

(ALTERNATIVE B. Use only for adoption of emergency rules)

~~pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at \_\_\_\_\_ on \_\_\_\_\_ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.~~

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 27th day of December 1972.



Thermal Power Plant Site Evaluation Council  
(AGENCY)-

*Joseph F. Lightfoot*  
By Joseph F. Lightfoot  
Executive Secretary  
Title \_\_\_\_\_

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)  
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)  
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

IN AND BEFORE THE  
THERMAL POWER PLANT SITE EVALUATION COUNCIL  
STATE OF WASHINGTON

Administrative Order No. 2-72:

(1) I, Joseph Lightfoot, Executive Secretary for the Thermal Power Plant Site Evaluation Council of the State of Washington, by virtue of the authority vested in the Council pursuant to chapter 80.50 RCW, and chapter 34.04, the Administrative Procedures Act, hereby assert that the Council has ordered the promulgation and adoption of the annexed rules and regulations, to wit:

Guidelines for Applicants Seeking Thermal  
Power Plant Certification:

WAC 463-12-100 through WAC 463-12-150

Repeal of WAC 463-12-010 through WAC 463-12-050.  
Previously filed May 7, 1970.

Rules of Practice:

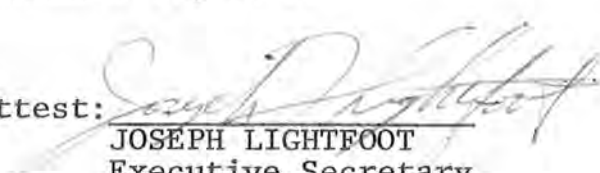
WAC 463-08-011, 015, 020, 021, 022, 023, 024

as permanent rules of the agency.

(2) This Order shall, after being first recorded as an administrative order in the order register of the Thermal Power Plant Site Evaluation Council, be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and WAC 1-12-050.

Approved and Adopted December 11, 1972.

Attest:

  
JOSEPH LIGHTFOOT  
Executive Secretary

THERMAL POWER PLANT SITE EVALUATION COUNCIL

WAC

- 463-08-011 Effect of certification.
- 463-08-015 Council organization.
- 463-08-020 Official application.
- 463-08-021 Hearing examiners.
- 463-08-022 Proposed orders by examiners.
- 463-08-023 Notice of intent.
- 463-08-024 Compliance procedures for state environmental policy act of 1971.

NEW

WAC 463-08-011 EFFECT OF CERTIFICATION. The Council administratively interprets the effect of RCW 80.50.120 in its provision that a certification issued by the Council is "in lieu of" any permits, certificates or similar documents required by any department, agency, division, bureau, commission or board of the state to mean the following:

Insofar as said permits, certificates or similar documents would otherwise be required by the applicant under state law on the effective date of chapter 80.50 RCW (February 23, 1970), the certification agreement properly issued serves "in lieu of" such requirements administered by those agencies which are members of the Council as provided for in RCW 80.50.030. The site certification agreement properly issued is not intended to serve "in lieu of" requirements administered by state agencies not represented on the Council.

The Council, therefore, interprets the effect of certification as blanketing in those state permits, certificates or similar documents normally issued by a member agency, but does not consider this blanketing-in effect to extend to the requirements of non-Council member state agencies.

AMD

WAC 463-08-015 COUNCIL ORGANIZATION. (1) The Council shall consist of the directors, administrators, or their designees of the following state departments or their statutory successors:

- (a) Department of ecology
- (b) Department of fisheries
- (c) Department of game
- (d) Parks and recreation commission
- (e) Department of social and health services
- (f) Interagency committee for outdoor recreation
- (g) Department of commerce and economic development
- (h) Utilities and transportation commission
- (i) Office of program planning and fiscal management
- (j) Department of natural resources
- (k) Planning and community affairs agency
- (l) Department of emergency services
- (m) Department of agriculture
- (n) As well as an appointee by the county legislative authority from every county wherein a proposed site is intended.

(2) The principal office of the Council shall be at Olympia, Washington, and shall be open each day for the transaction of business from 8 o'clock a.m. to 5 o'clock p.m., Saturdays, Sundays and legal holidays excepted. Submissions, requests and communications shall be sent to the Council Chairman, 820 E. Fifth Avenue, Olympia, Washington, or such other official location of the Council office as may be used in the future.

(3) A majority of the Council shall constitute a quorum for the promulgation and adoption of rules and regulations necessary for the conduct of its powers and duties and for the conduct of business. The general internal affairs of the Council's operation shall be governed wherever possible by resolution. The Council may delegate to its Chairman all those duties commensurate with the functions of said position. Regular meetings of the Council will be held on the second and fourth Mondays of each month when there is business to be brought before the Council.

(4) A counsel for the environment shall represent the public and its interest in protecting the quality of the environment for the duration of the certification proceedings until a certification is issued or denied.

(5) All state agencies represented on the Council as provided in RCW 80.50.030 will be treated as, and accorded all the rights of, a party during the course of certification proceedings as respects their areas of statutory authority and responsibility. In order to avoid duplication of effort, however, provisions may be made so as to have the notices, briefs and other material delivered to the Council agency member suffice as delivery to his agency wherever permitted by law. Appropriate consent statements shall be filed by the agencies with the Council for this purpose.

AMD

WAC 463-08-020 OFFICIAL APPLICATION. (1) An application for site certification pursuant to chapter 80.50 RCW shall be submitted to the Chairman, Washington State Thermal Power Plant Site Evaluation Council, at the Council's office in Olympia, Washington. This application shall be on 8½" x 11" sheets in loose-leaf (or equivalent replaceable sheet) form with a hard binder. Thirty copies of the application shall be supplied. The application shall supply the information required by the Council's current "Guidelines for Applicants," chapter 463-12 WAC, in a sequential manner substantially similar to the outline form of the Guidelines (e.g. categorize all material submitted into those specific areas and sections of the Guidelines). If a complete response to any of the guidelines is impossible at the time of application, the application shall so state and explain the reason for the deficiency. All later information transmitted shall be by the issuance of appropriate amendments to the application which shall be in the form of page-for-page substitution properly identified.

A fee of \$25,000 for each site application, to be applied toward the cost of any study authorized by the Council pursuant to RCW 80.50.070, shall accompany the application and shall be a condition precedent to any further action on the application by the Council. (Said payment in the form of a cashier's check shall be made payable to the Washington State Treasurer.)

The application shall indicate a named individual who shall be authorized to receive communications on behalf of the applicant.

(2) As an aid to prospective applicants for site certification, the Council hereby adopts a policy of informally assisting the prospective applicants whenever possible. Prospective applicants may also seek available aid directly from Council member agencies.

(3) In considering each new application and whether or not it is to be accorded the status of an official application, the Council shall after due consideration, but within thirty calendar days from receipt thereof, notify the applicant in writing whether said application is to be accorded official status. The Council shall further notify the applicant, insofar as possible, of any particular gross deficiencies with individual applications.

The standard to be applied by the Council in determining whether an application is to be accorded the status of an official application shall be whether the application substantially complies with the Council's current "Guidelines for Applicants," chapter 463-12 WAC, and the Council's current "Rules of Practice," chapter 463-08 WAC.

NEW WAC 463-08-021 HEARING EXAMINERS. The Council may appoint a single hearing examiner or a multi-membered panel not to exceed five in number to perform examiner functions as directed by the Council. Such hearing examiner or panel may consist of either Council members or non-Council members or combinations thereof wherever appropriate for the Council's purpose.

NEW WAC 463-08-022 PROPOSED ORDERS BY EXAMINERS. (1) General. WAC 463-08-022 shall apply in any proceeding under chapter 80.50 RCW which has been the subject of a hearing, whether by a single or multi-member hearing panel, except when:

(a) no objection is made to a request on the record by a party or the examiner for omission of examiner's proposed order; or

(b) the proceeding involves rule-making governed by RCW 34.04.020; or

(c) the decision is not adverse to any party to the proceeding other than the Council; or

(d) the Council finds that due and timely exercise of its functions requires in the public interest the omission of an examiner's proposed order.

(2) Preparation and service of proposed order. In proceedings covered by (1) the examiner conducting the hearing, or, when required, such other examiner as shall be designated by the Council, shall prepare a proposed order including findings of fact and conclusions of law and the same shall be served upon all parties of record.

(3) Briefs to examiner. At the conclusion of the hearing, the examiner may provide for the submission of briefs and fix the time to be allotted therefore.

(4) Exceptions--who may file. Any party of record may file exceptions to the examiner's proposed order.

(5) Exceptions--time for filing. Exceptions to examiner's proposed order must be filed in triplicate with the Executive Secretary of the Council and one copy must be served upon all other parties of record or their attorneys within ten days of the date of service of said proposed order. Proof of service must be made in accordance with WAC 1-08-120.

(6) Exceptions--contents. Exceptions to examiner's proposed orders shall be specific and must be stated and numbered separately. Exceptions to findings of fact must be supported by reference to that page or part of the record or, in the alternative, by a statement of the evidence relied upon to support the exception, and shall be accompanied by a recommended finding of fact. Exceptions to conclusions of law must be supported by reference to the appropriate statute, and/or to the applicable rule and regulation involved and shall be accompanied by a corrected conclusion of law. When exceptions are taken to statements in the summary portion of the proposed order, there shall be included a statement showing the legal or factual justification for such exceptions, together with a statement showing how the alleged defect in the summary affects the findings of fact or conclusions of law, or the ultimate order.

(7) Replies--who may file. Any party of record may file replies to exceptions.

(8) Replies--time for filing. Replies to exceptions must be filed in triplicate with the Executive Secretary of the Council. One copy shall be served on all other parties of record or their attorney of record within ten days of the date of the service of the exceptions. Proof of service must be made in accordance with WAC 1-08-120.

(9) Replies--contents. Replies to exceptions shall be specific and must be stated and numbered separately and must be supported by a reference to that page or part of the record, or in the alternative a statement of the evidence, relied upon to support the reply.

(10) Time for filing--variance. The examiner or Council may in his or its discretion, upon notice to the parties, reduce or extend the time for filing exceptions and replies.

(11) Briefs or written arguments. Briefs or written arguments shall accompany exceptions and replies.

(12) Oral argument. The Council may in its discretion hear oral argument at a time and place to be designated by it upon notice to all affected parties.

(13) Final decision. After reviewing the exceptions, replies, briefs, oral arguments, if any, and the record or such portions thereof as may be cited by the parties, or on its own motion if no exceptions are filed, a majority of the Council may affirm or modify the examiner's proposed order by an appropriate order. The statutory time for review proceedings shall not commence until the date of the Council's final decision and order.

NEW

WAC 463-08-023 NOTICE OF INTENT. Prospective applicants for certification, intending to invoke the terms and conditions of chapter 80.50 RCW, shall submit in writing to the Thermal Power Plant Site Evaluation Council office in Olympia, Washington, at least 90 calendar days in advance of filing an application, a "notice of intent" to file an application indicating the general location to be filed upon and the type of fuel and cooling to be utilized. Upon receiving such notice, the Council will initiate preliminary matters preparatory to processing the application, including the selection of a consultant for said proceedings, and such further acts which will expedite the processing of the application wherever possible.

NEW

WAC 463-08-024 COMPLIANCE PROCEDURES FOR STATE ENVIRONMENTAL POLICY ACT OF 1971. (1) The Council declares its policy to be that the requirements of chapter 43.21 C RCW, the State Environmental Policy Act of 1971 (hereinafter referred to as SEPA) are to be accorded the fullest possible treatment. To this end, a detailed draft environmental statement as required under SEPA will be prepared at the earliest possible stages for each certification application.

(2) In conformance with RCW 80.50.070(2), the independent consultant as agent of the Council may be required to supply the Council a draft environmental impact statement as hereinafter defined. This report will be initiated as soon as practicable after reception of site application.

(3) Internal review. Upon receiving a draft statement, the Council staff will prepare a report for examination by the Council which shall:

(a) Attach the draft environmental statement and summary sheet;

(b) Identify the federal, state and local agencies from which comments on the draft environmental statement are proposed to be solicited; and

(c) Include whatever further recommendations appear appropriate under the circumstances.

(4) External review of the draft statement shall be accomplished in the following manner:

(a) A copy of the draft environmental statement and the staff summary sheet shall be made available to the Department of Ecology and the Ecological Commission.

(b) The Council shall inform the public of the availability of the draft environmental statement by an announcement in a newspaper of general circulation throughout the state and, where appropriate, the general northwest region.

(c) Comments shall be solicited from the appropriate state, federal and local agencies in accordance with the following procedures:

(i) Comments of federal agencies shall be solicited by mailing drafts of the environmental statement to the federal agencies with special expertise or jurisdiction relevant to the statement.



(ii) Comments of other states, provinces and local agencies shall be solicited by mailing a draft of the environmental statement directly to said entities having responsibilities in environmental matters and to the appropriate clearing houses unless the executive of the particular public entity has designated some other point for obtaining this review.

(iii) Comments upon the draft environmental statement from the federal, state and local agencies shall be considered in the final environmental statement if received within 45 calendar days from the date the statement is mailed or otherwise distributed. The Council may, upon request, grant extensions for comments for a period not to exceed 15 calendar days.

(iv) Comments upon the draft environmental statement from members of the public shall be considered in the final environmental statement if received by the Council within 45 calendar days from the last date of publication of the notice of the availability of the draft statement in a newspaper of general circulation.

(5) As soon as practicable after the expiration of the periods of comments, but in any event prior to making recommendations to the Governor on certification as required under RCW 80.50.100, the Council shall prepare the final environmental statement and summary sheet taking into account all comments received during the authorized time periods.

The last section of the final environmental statement shall summarize the comments received, describe the disposition of issues identified, and include by attachment all substantive comments received on the draft.

(6) Form and content of impact statement. The impact statement shall be an objective and meaningful evaluation of Council and applicant action and every reasonable alternative in light of all environmental considerations. The presentation should be simple and concise, including reference to relevant data information and analysis necessary to permit evaluation of and the appraisal of the anticipated adversities, benefits and environmental effects of the proposed action and the reasons for alternatives.

Opposing views should be discussed or referred to wherever appropriate. Statements should not be drafted in a style which requires extensive scientific or technical expertise to comprehend. In support of such statements in the environmental impact statement, generally available documents may be incorporated by reference.

Each statement ordinarily shall contain the following sections:

(a) Summary. This section should briefly and concisely summarize the information set forth in each of the other sections of the environmental statement.

(b) Background.

(i) Detailed description. This subsection should fully describe the proposed applicant and Council action. Figures, maps, tables and pictures should be included, as appropriate. It should include an overall physical description, emphasizing features with environmental significance and controls taken to assure adequate design and function and minimum adverse environmental impact.

(ii) Anticipating benefits. This subsection should fully describe and analyze the need for the proposed applicant action. In so doing, it should adequately treat the full range of benefits--technological, economic, political, environmental, social, etc.--expected to be derived from such action.

(iii) Characterization of the existing environment. This subsection should fully describe the environmental features of the area in which the proposed applicant action will be involved with emphasis on those features, beneficial as well as adverse, that specifically relate to such proposed action.

(c) Environmental impact. This section should fully assess the environmental impact of the proposed applicant and Council action on those environmental features characterized in subsection (b) (iii). In so doing, it should describe those effects on the environment, beneficial as well as adverse, which could be caused by the proposed action, evaluate the importance of each such effect, and identify the time frames in which these effects are anticipated. It should describe the measures which will be taken to prevent, eliminate, reduce or compensate for any environmentally detrimental aspects of the proposed action.

(d) Unavoidable adverse environmental effects. This section should fully describe those adverse effects on the environment which probably would be caused by the proposed action and which probably cannot be avoided if the action is implemented. It should indicate the importance of each such effect.

(e) Alternatives. This section should treat the full range of reasonable alternatives to the proposed applicant and Council action and their environmental impact. In particular, alternatives specifically formulated with environmental quality objectives in mind should be discussed, e.g., pollution control equipment on a nuclear plant. The specific alternative of taking no action always should be evaluated. The assessment of alternatives should include a meaningful discussion of all reasonable alternatives to the proposed action.

(f) Relationship between short-term uses and long-term productivity. This section should fully assess the cumulative and long-term environmental effects of the proposed action. This involves consideration of the present condition and use of the site of the proposed action, its use if the proposed action is implemented, and the longer-term prospects for other uses. In particular, the desirability of the proposed action should be weighed to guard against shortsighted foreclosure of future options or needs. Special attention should be given to effects which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons the proposed action is believed to be justified now, rather than reserving a long-term option for other alternatives, including no use, should be explained.

(g) State, local or regional conflicts. This section should fully identify any known or potential conflicts with state, regional, or local plans and programs.

(h) Irreversible and irretrievable commitments of resources. This section should fully assess the extent to which the action curtails the diversity and range of beneficial uses of the environment. Uses of renewable and non-renewable resources during the initial and continued phases of the action should be discussed.

(i) Cost-benefit analysis. This section should present an analysis which considers and balances the environmental and other costs of the proposed applicant and Council action and the alternatives reasonably available for reducing or avoiding adverse environmental effects as well as the environmental, economic, technical and other benefits of the proposed action.

(j) A discussion of substantive comments made by other federal, state and local agencies and by private organizations and individuals in the review process. This section, to be included in the final statement, should summarize the substantive comments made by reviewing organizations and persons and describe the disposition of issues surfaced. This section should address in detail the major issues raised when the applicant's position is at variance with recommendations and objections and should explain the reasons specific comments could not be accepted. All substantive comments received on the draft should be attached to the final statement, whether or not each such comment is thought to merit individual discussion in this section or elsewhere in the text of the statement.

GUIDELINES FOR APPLICANTS SEEKING  
THERMAL POWER PLANT CERTIFICATION

WAC

- 463-12-100 Project description.
- 463-12-105 Site characteristics.
- 463-12-110 Transmission lines.
- 463-12-115 Health and safety.
- 463-12-120 Environmental impact--land.
- 463-12-125 Environmental impact--water.
- 463-12-130 Environmental impact--air.
- 463-12-135 Environmental impact--vegetation,  
fish and animal life.
- 463-12-140 Environmental impact--aesthetics.
- 463-12-145 Environmental impact--recreation  
and heritage.
- 463-12-150 Monitoring and future studies.

NEW

WAC 463-12-100 PROJECT DESCRIPTION. The applicant shall:

(1) Describe the proposed site indicating its general location, prominent geographic features, typical geological and climatological characteristics, and such other information as is necessary to provide a general understanding of the area.

(2) Describe the characteristics of the project to be constructed upon the proposed site including the type, size and cost of the plant; description of major components and such information as will generally acquaint the Council with the significant features of the proposed project.

(3) Describe the available roads and railroads and indicate what additional access, whether temporary or permanent, is needed for ingress and egress of personnel and materials during plant construction and operation.

(4) Provide a description of the applicant and its reason for undertaking the proposed project including the need for the power to be used, the customers to be served, financing and marketing arrangements, cost of power production, and other information of a general nature concerning the proposed project.

(5) Provide a detailed statement of the plant investment which is attributable to environmental considerations, identifying specifically those costs which are incurred in satisfaction of governmental requirements. Indicate also the anticipated annual cost of proposed programs for the protection and/or enhancement of the environment.

(6) Furnish a projected schedule of environmental studies, planning and construction expressing in months the time required to complete the several phases of the studies, planning and construction work. Give an approximate starting date of actual construction and operation.

NEW

WAC 463-12-105 SITE CHARACTERISTICS. The applicant shall:

(1) Furnish a legal land description of and ownership interest in the site.

(2) Furnish land use plans, the latest zoning status and a survey of land occupancy and land uses within a 25-mile radius of the immediate site area.

(3) Supply documentation, attested to by the executive authority of the unit(s) of government exercising land use control and planning responsibilities with respect to the proposed site, detailing the currently effective land use classification (zoning) at the site and indicating that the site may be used for a thermal power plant under that classification.

NEW

WAC 463-12-110 TRANSMISSION LINES. The applicant shall:

(1) Describe approximate routing, conceptual design and construction schedule of all proposed associated

transmission lines to be constructed as the result of the addition of the proposed plant to the northwest power grid.

(2) Provide the analysis involved in its selection of proposed transmission corridors and efforts made to avoid scenic, recreational, historical, archaeological and heavily-timbered areas, steep slopes and proximity to highways to minimize conflict between the rights-of-way with present and future uses of the land on which they are located.

(3) Indicate the federal, state and industry criteria for power line routing and construction considered in developing the proposed design including the manner and extent to which the proposal satisfies the criteria.

(4) Show evidence of consideration of multi-purpose utilization of rights-of-way and describe measures anticipated to be employed to restore, or rehabilitate, disturbed areas.

NEW

WAC 463-12-115 HEALTH AND SAFETY. The applicant shall:

(1) Describe the means proposed to assure the public the safe utilization of land and water areas under the applicant's control to which public access will be allowed.

(2) Describe proposed methods of compliance with all state and local health and safety standards.

(3) Provide background radiation levels of appropriate receptor media pertinent to the site in question.

(4) Describe the radioactive waste treatment process, the anticipated releases of radionuclides, their expected distribution and retention in the environment, the pathways which may develop to become sources of radiation exposure, and estimates of the resulting radiation doses to human populations. Also describe other sources of radiation which may be associated with the project.

(5) Describe the means to be employed for protection of the plant facility against damage from flood waters, tsunamis, and natural disasters, and security provisions against sabotage and vandalism.

(6) Provide a preliminary description of the emergency plan to assure the public safety both on and off site in the event of a natural disaster or a nuclear incident/accident.

NEW

WAC 463-12-120 ENVIRONMENTAL IMPACT--LAND. The applicant shall:

(1) Describe proposed procedures to minimize erosion during the excavation of borrow pits, disposal of surplus excavation and construction of earth fills. The location of and quantities involved in such activities shall also be described.

(2) Describe proposed measures to be employed to restore, or landscape, land areas disturbed during construction.

(3) Treat temporary roads as disturbed land areas as considered in No. 2 above and describe the Washington State standards to which permanent roads are to be constructed.

(4) Furnish the results of a comprehensive, geologic survey to determine geologic conditions of the site with particular attention to the nature of the foundation materials and recorded and potential seismic activities.

NEW WAC 463-12-125 ENVIRONMENTAL IMPACT--WATER. The applicant shall:

(1) Indicate the source and the approximate amount of all water required during construction and operation of the plant and demonstrate that water adequate to meet the requirements of the plant is legally available for this use.

(2) Demonstrate that the proposed utilization of the site is compatible with the state water use programs.

(3) Show evidence of consideration of multi-purpose use of cooling water.

(4) Describe means to be utilized to assure the compliance with laws and regulations relating to water quality and water management for the waters of the State of Washington.

(5) Describe the system of waste heat dissipation proposed to be utilized including plans for offstream cooling facilities for sites located adjacent to fresh water bodies and estuarine locations.

(6) Identify the outfall configuration and locations proposed and the resultant heated effluent distribution characteristics and extent of the dilution zone.

(7) Submit a hydrographic study of the temperature, salinity structure and other physical factors in the receiving waters that may influence dilution, dispersion and reconcentration of waste discharge.

(8) Provide background water quality data pertinent to the site in question.

(9) Describe methods to be employed for the control of surface water runoff and the control of erosion at the site during construction to prevent water pollution and to assure compliance with state water quality standards.

(10) Provide an engineering report discussing the applicability of the known, available and reasonable methods of waste prevention and treatment which have been considered for the project; and a flow diagram, with design criteria for the waste system proposed, showing the sources, amounts and characteristics of all liquid and/or water borne wastes and the conceptual design for their treatment and disposal.

NEW

WAC 463-12-130 ENVIRONMENTAL IMPACT--AIR. The applicant shall:

(1) Describe the means to be utilized to assure compliance with air pollution control standards.

(2) Provide data, either from available records or from reasonable estimates, as to the air quality and meteorological conditions at the proposed site. Meteorological data shall include (as a minimum) wind and direction patterns, rainfall and temperature regimes.

(3) Describe the extent to which the operation of any proposed offshore cooling facilities would cause fogging, misting, icing, obscuration of visibility or visible plumes.

(4) Demonstrate that the highest and best practicable contaminant emission control technology will be used. In the case of fossil-fueled plants, this discussion should address the utilization of low sulphur-content fuel.

NEW

WAC 463-12-135 ENVIRONMENTAL IMPACT--VEGETATION, FISH AND ANIMAL LIFE. The applicant shall:

(1) Provide a description, including the location and quantity, of terrestrial vegetation, animal life or other receptor which potentially might be affected by the design, construction, operation and maintenance of the proposed plant and its associated transmission lines.

(2) Provide a description, including the distribution and quantity, of aquatic vegetation, fish and other aquatic life which potentially might be affected by the design, construction, operation and maintenance of the proposed plant and its associated transmission lines.

(3) Describe the anticipated project effect upon terrestrial vegetation, animal life and other receptor in the proposed project's influence area.

(4) Describe the anticipated project effect upon the aquatic vegetation, fish and other aquatic life in the proposed project's influence area. Describe specific provisions to be made for fish protection at any water intakes and discharges that will minimize fish attraction, bypass fish safely to the natural waters and assure maximum protection to the resource.

(5) Provide for appropriate additional measures to protect terrestrial and aquatic receptor, animal life, fish and other aquatic life, if such measures are deemed necessary by the Council.

(6) Provide for replacement and/or compensation for any animal life, fish or other aquatic life and eco-system damage or loss caused by project construction and operation, if such measures are deemed necessary by the Council.

NEW

WAC 463-12-140 ENVIRONMENTAL IMPACT--AESTHETICS. The applicant shall:

(1) Demonstrate that the proposed thermal power plant and pertinent facilities are located and designed to assure, insofar as is practical, that the physical appearance of the installation will be aesthetically compatible with its surroundings.



NEW

WAC 463-12-145 ENVIRONMENTAL IMPACT--RECREATION AND HERITAGE. The applicant shall:

(1) Submit an inventory of historical and archaeological sites which are existent within the proposed site boundary or transmission corridors and describe the methods to be employed to enable their preservation and/or their interpretation.

(2) Describe recreational resources and facilities, if any, that will be created or added to those already existing at the site and in the project influence area of the proposed plant.

(3) Provide for replacement and/or compensation for any loss or damage to recreational opportunities in the project influence area, if such measures are deemed necessary by the Council.

NEW

WAC 463-12-150 MONITORING AND FUTURE STUDIES. The applicant shall:

(1) Finance such studies related to the site as are requested by the Council and agreed to by the applicant. These studies may include, but not be limited to, data gathering and research on biological, ecological, meteorological, geological, hydrological and general environmental problems.

(2) Continuously evaluate geologic information developed during construction and take appropriate steps in the designing and construction of the plant to accommodate the geologic conditions disclosed.

(3) Provide pre-operational and continuing environmental radiation monitoring programs of appropriate receptor media as required by the Council.

(4) Provide a pre-operational and continuing water quality monitoring program to assure the maintenance of water quality standards and continued beneficial uses of adjacent waters.

(5) Provide a pre-operational and continuing air quality monitoring program and weather data collection program for the proposed site. The nature of these programs will depend upon the fuel to be used, contaminate potential and land characteristics and use and shall include emission monitoring when required by the Council.

(6) Provide a pre-operational and continuing environmental quality surveillance program to monitor the effect of the project on vegetation and other terrestrial and aquatic receptor, animal life, fish and other aquatic life and the ecology of the area.

(7) Retain the services of a competent archaeologist to inspect and report to the Council on the construction site in the course of the construction excavation of the project to determine if archaeological or historical sites are being invaded or disturbed and to preserve and provide for interpretation of any historical or archaeological artifacts which may be discovered in the course of excavation and/or construction.

REP

WAC 463-12-010 through WAC 463-12-050 are each hereby repealed.