



ENERGY FACILITY SITE EVALUATION COUNCIL

820 EAST FIFTH AVENUE, OLYMPIA, WASHINGTON 98504 PHONE: 753-7384

~~XXXXXXXXXXXXXXXXXXXX~~
Governor Dixy Lee Ray

February 24, 1977

Mr. Richard O. White
Code Reviser
Legislative Building
Olympia, WA 98504

Attention Mrs. Loma Barmore

Re: WAC Filing EFSEC
Resolution No. 113

Dear Mr. White:

Please refer to your request for clarification and affirmation as to which copy of text accompanying Council Resolution No. 113 is the officially adopted text.

The two texts referred to which are contained in our transmittal of February 3, 1977, are:

- 1) Exhibit "A" which is physically attached to the Council resolution and by reference made a part of the resolution, or
- 2) The retyped copy of the text adopted by the Council. The retyped material has been placed in format as provided for by WAC 1-12.

The officially adopted text is that identified as Exhibit "A". The WAC section numbers, however, reflect an internal numbering sequence and are changed appropriately in the retyped, WAC 1-12 format.

Sincerely,

Roger Polzin
Executive Secretary

RP:kb

FROM: Energy Facility Site Evaluation Council
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules Emergency rules, being Order No. 113

relating to (Name of rules or description of subject matter)

Procedures/Guidelines: Applications for Site Certification

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

pursuant to Notice No. 7329 ^① filed with the code reviser on 12-23-76 ^② were regularly adopted as permanent rules of this agency at Olympia, WA on 1-24-77 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 _____ ^③

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

pursuant to its finding in the attached administrative order, 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 have been fulfilled.

Dated this 3rd day of February 1977.

STATE OF WASHINGTON
FILED

FEB 4 1977

CODE REVISER'S OFFICE

DOCKET # 2921 FILE # 1

Energy Facility Site Evaluation Council
(AGENCY)

Roger Polzin
BY Roger Polzin
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.
- [Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

Handwritten notes:
200/1001
9/24/77

Resolution No. 113

WHEREAS, the Energy Facility Site Evaluation Council has promulgated a notice of intent to adopt, amend or repeal rules concerning Procedures/Guidelines: Applications For Site Certification; and

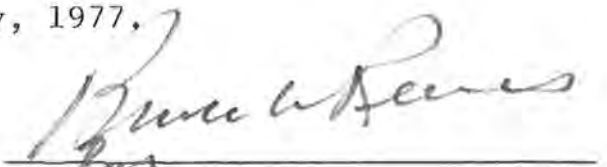
WHEREAS, notice of such proposed adoption, amendment or repeal was contained in Notice No. 7329 filed December 23, 1976, with the Code Reviser's office;

NOW THEREFORE BE IT RESOLVED by the Energy Facility Site Evaluation Council that WAC 463-12-100, 463-12-105, 463-12-110, 463-12-115, 463-12-120, 463-12-125, 463-12-130, 463-12-135, 463-12-140, 463-12-145, 463-12-150, 463-12-155, 463-08-020, 463-08-023 are hereby repealed; and

BE IT FURTHER RESOLVED by the Energy Facility Site Evaluation Council that the rules listed on Exhibit "A" attached hereto, and by this reference made a part hereof, concerning Procedures and Guidelines for Applications for Site Certification are hereby approved and adopted as permanent rules of the Energy Facility Site Evaluation Council;

BE IT FURTHER RESOLVED by the Energy Facility Site Evaluation Council that this resolution and annexed regulations, after first being recorded in the Order Register of the Energy Facility Site Evaluation Council, shall be forwarded in proper form to the Code Reviser for filing pursuant to RCW 34.04.

Dated this 24th day of January, 1977,




Lawrence B. Bradley
Chairman

ATTEST:



Roger Polzin
Executive Secretary

APPROVED AS TO FORM:



Thomas F. Carr
Assistant Attorney General

PROCEDURE/GUIDELINES: APPLICATIONS
FOR SITE CERTIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WAC 463-42-1A PURPOSE AND SCOPE -- This chapter sets forth guide-
lines for preparation of applications for energy facility site certifi-
cation pursuant to Ch. 80.50 RCW in addition to delineating certain
initial-stage procedures.

WAC 463-42-1B BASIC REQUIREMENT -- FULL DISCLOSURE BY APPLICANTS.
It is recognized that these guidelines can only be comprehensive in a
relative sense. Therefore, and in addition to the other guidelines
contained herein, the Council adopts the basic guideline that an appli-
cant for site certification must ~~disclose~~ **IDENTIFY IN THE APPLICATION**
HAS A BEARING ON all information known to the
applicant which ~~could affect ultimate~~ site certification.

WAC 463-42-1C APPLICATION -- WHERE FILED. Applications for site
certification shall be filed with the Council at the Council office.

1 WAC 463-42-1D APPLICATION -- FORM AND NUMBER OF COPIES.

2 Applications shall be on 8-1/2 by 11" sheets, in loose-leaf form with
3 a hard cover binder. Thirty-five (35) copies of the application shall
4 be supplied to the Council, and two (2) copies to each county, and
5 one (1) copy to each port district in which the site is located at
6 the time that the original is filed. In addition, one (1) copy shall
7 be supplied to each intervenor on admission to the proceedings.
8 Information later submitted shall be by page-for-page substitutions
9 suitable for insertion in the application binder.

10

11

12

13

14 WAC 463-42-2A APPLICATION -- ORGANIZATION: INDEX. The contents

15 of the application may be organized in any reasonable and logical
16 manner, including the substitution of an environmental report prepared
17 for the Nuclear Regulatory Commission **OR OTHER FEDERAL AGENCIES** provided that it is supplemented
18 as necessary to comply with this chapter. Applicants are encouraged to
19 organize and present information in a manner which avoids repetition
20 and internal cross-referencing. The contents of the application shall
21 be indexed so that specific reference is made to each applicable
22 guideline contained in this title.

23

24

25

26

27

IT IS RECOGNIZED THAT NOT ALL SECTIONS OF THESE GUIDELINES APPLY EQUALLY TO ALL PROPOSED ENERGY FACILITIES. IF THE APPLICANT DEEMS A PARTICULAR SECTION TO BE TOTALLY INAPPLICABLE THE APPLICANT MUST JUSTIFY SUCH CONCLUSION IN RESPONSE TO SAID SECTION.

AND APPLICABILITY

1 WAC 463-42-2B APPLICATION -- SPECIFIC CONTENTS [^] The applicant
2 must address all sections of this chapter and must substantially
3 comply with each section ^{SHOW IT DOES NOT APPLY} or secure a waiver from the Council. Infor-
4 mation submitted by the applicant shall be accompanied by a certifi-
5 cation by applicant that all EFSEC application requirements have been
6 reviewed, the data have been prepared by qualified professional
7 personnel, and the application is substantially complete.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WAC 462-42-2C -- OPTIONAL APPLICATION FORM AND CONTENT: The

applicant has two options for submitting an application:

1. The applicant may submit an application initially satisfying WAC 463-42-2B or;
2. The applicant on agreement to extend the Council review period by 90 days, may complete an initial application form provided by the Council and requiring descriptions of the applicant, the project, the site and an application completion schedule. The completed initial application form together with compliance with WAC 463-42-2D (1, 2,) shall be deemed sufficient only for the purpose of the land use and zoning ordinance consistency determination provided for in RCW 80.50.090(1, 2). Further Council consideration of the proposed site requires compliance with the remainder of this chapter.

1 WAC 463-42-2D -- OPTION (2) PROCEDURAL SCHEDULE: The following
2 schedule shall be followed by an applicant utilizing option (2) of
3 WAC 463-42-2C:
4

5 1. Application form filed with fee,
6 2. Within 30 days of filing, the applicant shall provide copies
7 of all county or regional land use plans and zoning ordinances pertaining
8 to the site, and comply with WAC 463-42-4B,

9 3. Within 90 days of filing, the applicant shall comply with
10 WAC 463-42-2B

11 4. Generally, the commencement of prehearing procedures or
12 conferences will not be scheduled until at least 60 days after the
13 applicant complies with WAC 463-42-2B. However, upon a showing that
14 a prehearing conference is needed or would be useful in advance of
15 the scheduled time period, the Council may schedule such conference.
16
17
18
19

20 WAC 463-42-2E APPLICATION -- DESIGNATION OF AGENT. The applicant
21 shall designate an agent to receive communications on behalf of the
22 applicant.
23
24
25
26
27

1 WAC 463-42-2F APPLICATION -- FEE. The statutory fee shall accompany
2 an application and shall be a condition precedent to any action by the
3 Council. Payment shall be by a cashier's check payable to the State
4 Treasurer.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WAC 463-42-2G CONTENT -- GRAPHIC MATERIAL. It is the intent that
material submitted pursuant to these guidelines shall be descriptive
and shall include illustrative graphics in addition to narration.
This requirement shall particularly apply to subject matter that deals
with systems, processes, and spacial relationship. The material so
submitted shall be prepared in a professional manner and in such form
and scale as to be understood by those who may review it.

WAC 463-42-3A CONTENT -- SOURCES OF INFORMATION. The applicant
shall disclose sources of all information and data and shall identify
all pre-application studies bearing on the site and other sources of
information.

CONSTRUCTION & STUDY

1 WAC 463-42-3B CONTENT -- ~~APPLICATION RELATED SCHEDULES AND STUDIES.~~

2 The applicant shall furnish a brief description of all present or
3 **CONSTRUCTION SCHEDULES FOR** projected schedules and environmental studies which are necessary to
4 complete the application. The **STUDIES** description should outline **THEIR** the scope
5 ~~of such studies~~ and indicate projected completion dates.

6
7
8
9
10 WAC 463-42-3C CONTENT -- POTENTIAL FOR FUTURE ACTIVITIES AT SITE.

11 The applicant shall describe the potential for any future additions,
12 expansions, or further activities which might be undertaken by the
13 applicant on or contiguous to the proposed site.

14
15
16
17
18 WAC 463-42-3D CONTENT -- ANALYSIS OF ALTERNATIVES: The applicant
19 shall provide an analysis of alternatives for site, route, and other
20 major elements of the proposal.

21
22
23
24
25 WAC 463-42-3E CONTENT -- SAFETY STANDARDS COMPLIANCE. The applicant
26 shall identify all federal, state, and local health and safety standards
27

1 | which would normally be applicable to a project of this nature and shall
2 | describe methods of compliance therewith.

3

4

5

6

7 | WAC 463-42-3F CONTENT -- DESCRIPTION OF APPLICANT. The applicant
8 | shall provide an appropriate description of the applicant's organiza-
9 | tion and affiliations for this proposal.

10

11

12

13

14 | WAC 463-42-3G CONTENT -- SITE DESCRIPTION. The application shall
15 | contain a description of the proposed site indicating its location,
16 | prominent geographic features, typical geological and climatological
17 | characteristics, and other information necessary to provide a general
18 | understanding of all ~~areas~~ **SITES** involved, including county or regional land
19 | use plans and zoning ordinances.

20

21

22

23

24 | WAC 463-42-4A CONTENT -- LEGAL DESCRIPTIONS AND OWNERSHIP INTERESTS.
25 | The application shall contain a legal description of the site to be
26 | certified and shall identify all nonprivate ownership interests in such
27 | land.

AND ZONING ORDINANCES.

1 WAC 463-42-4B CONTENT -- LAND USE PLANS [^] As part of the application,
2 the applicant shall furnish copies of adopted land use plans [^] **AND ZONING ORDINANCES** including
3 the latest land use regulation and a survey of ~~land occupancy and~~ present
4 land uses within the following distances of the immediate site area:

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1. In the case of thermal power plants, 25 miles radius;
2. In the case of petroleum refineries 10 miles radius;
3. In the case of petroleum or LNG storage areas or underground
natural gas storage, 10 miles radius from center of storage area or
well heads;
4. In the case of pipe lines and electrical transmission routes,
1 mile either side of center line.

20 WAC 463-42-4C CONTENT -- CONSTRUCTION ON SITE. The applicant
21 shall describe the characteristics of the construction to occur at
22 the proposed site including the type, size, and cost of the facility;
23 description of major components and such information as will acquaint
24 the Council with the significant features of the proposed project.

1 WAC 463-42-4D CONTENT -- CONTOUR MAPS. The applicant shall
2 include contour maps showing the original topography and any changes
3 likely to occur as a result of energy facility construction and
4 related activities. Contour maps showing proposed shoreline or
5 channel changes shall also be furnished.

6
7
8
9

10 WAC 463-42-4E CONTENT -- ACCESS. The applicant shall describe
11 existing roads, railroads, and other transportation facilities and
12 indicate what additional access, if any, will be needed during planned
13 construction and operation.

14
15
16
17

18 WAC 463-42-4F CONTENT -- ENERGY TRANSMISSION SYSTEMS. The applicant
19 shall describe the routing, conceptual design, and construction schedule
20 of all proposed associated facilities to be constructed.

21
22
23
24

25 WAC 463-42-5A CONTENT -- CRITERIA, STANDARDS, AND FACTORS
26 UTILIZED TO DEVELOP TRANSMISSION ROUTE. The applicant shall indicate

27

1 the federal, state, and industry criteria used in the energy transmission
2 route selection and construction factors considered in developing the
3 proposed design and shall indicate how such criteria are satisfied.

4

5

6

7

8 WAC 463-42-5B CONTENT -- MULTIPURPOSE USE OF TRANSMISSION ROUTES.

9 The applicant shall indicate consideration of multipurpose utilization
10 of rights of way and describe the measures to be employed to utilize,
11 restore, or rehabilitate disturbed areas.

12

13

14

15

16 WAC 463-42-5C CONTENT -- SAFETY WHERE PUBLIC ACCESS ALLOWED.

17 The applicant shall describe the means proposed to insure safe
18 utilization of those areas under applicant's control to which
19 public access will be granted.

20

21

22

23

24 WAC 463-42-5D CONTENT -- RADIATION LEVELS. For facilities which
25 propose to release any radioactive materials, the applicant shall set
26 forth information relating to radioactivity. Such information shall

27

1 include background radiation levels of appropriate receptor media
2 pertinent to the site. The applicant shall also describe the proposed
3 radioactive waste treatment process, the anticipated release of
4 radionuclides, their expected distribution and retention in the
5 environment, the pathways which may become sources of radiation
6 exposure, and projected resulting radiation doses to human populations.
7 Other sources of radiation which may be associated with the project
8 shall be described in all applications.

NATURAL HAZARDS

9
10
11
12
13 WAC 463-42-5E CONTENT -- PROTECTION FROM ~~MAJOR OCCURRENCES~~. The
14 applicant shall describe the means employed for protection of the
15 facility from earthquakes, flood, tsunami, storms, avalanche or land-
16 slides, ~~sabotage, vandalism~~, and other major ^{NATURAL} disruptive occurrences.

17 WAC 463-42-5F CONTENT - SECURITY CONCERNS.

18 **THE APPLICANT SHALL DESCRIBE THE MEANS EMPLOYED**
19 **FOR PROTECTION OF THE FACILITY FROM SABOTAGE,**
20 **VANDALISM AND OTHER SECURITY THREATS.**

21 WAC 463-42-6A CONTENT -- EMERGENCY PLANS. The applicant shall
22 describe emergency plans to assure the public safety and environmental
23 protection on and off the site in the event of a natural disaster or
24 other major incident and further, will identify the specific responsi-
25 bilities which will be assumed by the applicant.

1 WAC 463-42-6B CONTENT -- EARTH REMOVAL. The applicant shall
2 describe all procedures to be utilized to minimize erosion and other
3 adverse consequences during the removal of vegetation, excavation of
4 borrow pits, foundations and trenches, disposal of surplus materials,
5 and construction of earth fills. The location of such activities
6 shall be described and the quantities of material shall be indicated.

7 **(INSERT BE HERE)**

8

9

10

11 WAC 463-42-6C CONTENT -- LANDSCAPE RESTORATION. The applicant
12 shall describe the procedures to be utilized to restore or enhance
13 the landscape disturbed during construction (to include temporary roads).

14

15

16

17

18 WAC 463-42-6D CONTENT -- TRANSPORTATION IMPACT. The applicant
19 shall identify all permanent transportation facilities impacted by
20 the construction and operation of the energy facilities, the nature
21 of the impacts and the methods to mitigate impacts. Such impact
22 identification, description and mitigation shall, at least, take into
23 account:

24 1. Expected traffic volumes during construction, based on where
25 the work force is expected to reside;

26 2. Access routes for moving heavy materials and equipment;

27

1 3. Expected traffic volumes during normal operation of the
2 facility;

3 4. For transmission facilities, anticipated maintenance access;
4 and

5 5. Consistency with local comprehensive transportation plans.
6
7
8
9

10 WAC 463-42-6E CONTENT -- TRANSPORTATION FACILITY CONSTRUCTION.

11 The applicant shall indicate the applicable standards to be utilized
12 in improving existing transportation facilities and in constructing
13 new permanent or temporary access facilities, and shall indicate
14 the final disposition of new access facilities and identify who
15 will maintain them.
16
17
18
19

20 WAC 463-42-7A CONTENT -- TRANSPORTATION OF FUELS AND WASTE

21 PRODUCTS. Except where security restrictions are imposed by the
22 federal government, the applicant shall indicate the manner in which
23 fuels and waste products are to be transported to and from the facility,
24 including a designation of the specific routes to be utilized.
25
26
27

1 WAC 463-42-7B CONTENT -- ENVIRONMENTAL SAFEGUARDS. GEOLOGIC
2 AND HYDROLOGIC SURVEY. The applicant shall include the results of
3 a comprehensive hydrologic and geologic survey showing conditions
4 at the site, the nature of foundation materials, and potential
5 seismic activities.

6
7
8
9
10 WAC 463-42-7C CONTENT -- WATER SOURCE AND USAGE. The applicant
11 shall indicate the source and the amount of water required during
12 construction and operation of the plant and show that it is available
13 for this use and describe all existing water rights, withdrawal
14 authorizations or restrictions which relate to the proposed source.

15
16
17
18
19 WAC 463-42-7D CONTENT -- WATER SUPPLY. The applicant shall
20 describe the location and type of water intakes and their impact
21 on ground and surface waters.

22
23
24
25
26 WAC 463-42-7E CONTENT -- COMPATIBILITY WITH WATER QUALITY
27 STANDARDS. The applicant shall demonstrate that facility construction

1 and/or operational discharges will be compatible with and meet state
2 water quality standards.

3
4
5
6

7 WAC 463-42-7F CONTENT -- SPILLAGE PREVENTION AND CONTROL. The
8 applicant shall describe all spillage prevention and control measures
9 to be employed regarding accidental and/or unauthorized discharges
10 or emissions, relating such information to specific facilities,
11 including but not limited to locations, amounts, storage duration,
12 mode of handling, and transport.

13
14
15
16

17 WAC 463-42-8A CONTENT -- SYSTEM OF HEAT DISSIPATION. The applicant
18 shall ~~when applicable~~ describe ^{**BOTH PROPOSED AND ALTERNATIVE**} the systems ^{**FOR**} of heat dissipation ^{**FROM**} ~~to~~
THE PROPOSED FACILITIES. ^{**^ ^**}
19 ~~be utilized, to include off stream cooling facilities.~~

20
21
22
23

24 WAC 463-52-8B CONTENT -- CHARACTERISTICS OF AQUATIC DISCHARGE
25 SYSTEMS. Where discharges into water are involved, the applicant
26 shall identify outfall configurations and show proposed locations.
27 The applicant shall also describe fully the effluent distribution

1 characteristics and the extent of dilution, showing plume charac-
2 teristics under all discharge conditions.

3
4
5
6

7 WAC 463-42-8C CONTENT -- HYDROGRAPHIC STUDY OF WATERS. The
8 application shall set forth all background water quality data pertinent
9 to the site, and ~~as appropriate~~, hydrographic study data and analysis
10 of the receiving waters within one-half mile of any proposed discharge
11 location with regard to: bottom configuration; minimum, average and
12 maximum water depths and velocities; water temperature and salinity
13 profiles; and other relevant characteristics which could influence the
14 impact of any wastes discharged thereto.

15
16
17
18

19 WAC 463-42-8D CONTENT -- GROUND-WATER ACTIVITY. The applicant
20 shall describe any changes in ground-water activity or quality which
21 might result from project construction or operation.

22
23
24

25 **MOVE TO 6B+**

26 WAC 463-42-8E CONTENT -- SURFACE-WATER RUNOFF. The applicant
27 shall describe how surface-water runoff and erosion are to be controlled

1 during construction and operation to assure compliance with state water
2 quality standards.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WAC 463-42-8F CONTENT -- WASTEWATER TREATMENT. The applicant ~~where appropriate,~~ shall describe ^A **EACH WASTEWATER SOURCE ASSOCIATED WITH** ~~all water usage within~~ the facility

and for each ~~wastewater~~ source, the applicability of all known, **WASTEWATER CONTROL** available, and reasonable methods of ~~waste prevention~~ and treatment. **WASTEWATER CONTROL** which have been considered. Where ~~waste prevention~~ involves collection and retention for recycling and/or resource recovery, the applicant shall show in detail the methods selected, including at least the following information: waste source(s), average and maximum daily amounts and composition of wastes, storage capacity and duration, and any bypass or overflow facilities to the wastewater treatment system(s) or the receiving waters. Where wastewaters are discharged into receiving waters, the applicant shall provide a detailed description of the proposed treatment system(s), including appropriate flow diagrams and tables showing the sources of all tributary waste streams, their average and maximum daily amounts and composition, individual treatment units and their design criteria, major piping (including all bypasses), and average and maximum daily amounts and composition of effluent(s).

1 WAC 463-42-9A CONTENT -- NPDES APPLICATION. ~~Where appropriate,~~

2 The applicant shall include a completed National Pollutant Discharge
3 Elimination System application.

4
5
6
7
8 WAC 463-42-9B CONTENT -- SOLID WASTES DISPOSAL. The applicant
9 shall describe the disposition of all solid or semisolid construction
10 and operation wastes including spent fuel, ash, sludge, and bottoms,
11 and show compliance with applicable state and local comprehensive solid
12 waste disposal plans.

13
14
15
16
17 WAC 463-42-9C CONTENT -- AIR POLLUTION CONTROL. The applicant
18 shall identify all pertinent air pollution control standards. The
19 application shall contain adequate data showing air quality and
20 meteorological conditions at the site. Meteorological data shall
21 include, at least, adequate information about wind direction patterns,
22 air stability, wind velocity patterns, precipitation, humidity, and
23 temperature. The applicant shall describe the means to be utilized
24 to assure compliance with air quality and emission standards.

1 WAC 463-42-9D CONTENT -- AIR POLLUTION IMPACT. The applicant
2 shall describe the extent to which facility operations cause visible
3 plumes, fogging, misting, icing, or impairment of visibility, and
4 changes in ambient levels caused by all emitted pollutants.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

WAC 463-42-9E CONTENT -- EMISSION CONTROL. The applicant shall

HIGHEST AND BEST PRACTICABLE TREATMENT
~~fully demonstrate that the most effective emission control devices will~~
FOR CONTROL OF EMISSIONS WILL

be utilized in facility construction and operation. In the case of
fossil fuel power plants and petroleum refineries, the applicant should
deal with products containing sulphur and particulates. In the case
of a nuclear-fueled plant, the applicant should deal with optional
plant designs as these may relate to gaseous emissions.

WAC 463-42-9F CONTENT -- DUST CONTROL. The applicant shall

describe for the area affected, all dust caused by construction
or operation of the facility and shall describe how these are to be
minimized or eliminated.

1 WAC 463-42-9G CONTENT -- ODOR CONTROL. The applicant shall
2 describe for the area affected, all odors caused by construction or
3 operation of the facility and shall describe how these are to be
4 minimized or eliminated.

5
6
7
8

9 WAC 463-42-10A CONTENT -- INVENTORY OF POTENTIALLY AFFECTED
10 VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE DESCRIBED. The applicant
11 shall describe all vegetation, animal life, and aquatic life which
12 might reasonably be affected by construction and/or operation of
13 the energy facility and any associated facilities. Any endangered
14 species or noteworthy species or habitat shall receive special
15 attention. Assessment of these factors shall include density and
16 distribution information.

17
18
19
20

21 WAC 463-42-10B CONTENT -- IMPACT OF CONSTRUCTION AND OPERATION
22 ON VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The applicant shall
23 describe the projected effect of facility construction and/or operation
24 upon vegetation, animal life, and aquatic life.

25
26
27

1 WAC 463-42-10C CONTENT -- DESCRIPTION OF MEASURES TAKEN TO PROTECT
2 VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The application shall contain
3 a full description of each measure to be taken by the applicant to
4 protect vegetation, animal life, and aquatic life from the effects of
5 facility operation and construction. Specifically, the application
6 shall set forth insurance, bonding or other arrangements made in order
7 to replace or compensate for damage or loss to vegetation, animal life,
8 or aquatic life.

9

10

11

12

13 WAC 463-42-10D CONTENT -- AESTHETICS. The applicant shall describe
14 the aesthetic impact of the proposed energy facility and associated
15 facilities and any alteration of surrounding terrain. The presentation
16 will show the location and design of the facilities relative to the
17 physical features of the site in a way that will show how the installa-
18 tion will appear relative to its surroundings.

19

20

21

22

23 WAC 463-42-10E CONTENT -- NOISE AND GLARE. The applicant shall
24 describe the impact of lights, noise, and glare from construction and
25 operation and shall describe the measures to be taken in order to
26 eliminate or lessen this impact.

27

1 WAC 463-42-10F CONTENT -- ENERGY CONSUMPTION. The applicant
2 shall generally describe the energy consumption during both construction
3 and operation of the proposed facilities as to sources of supply,
4 locations of use, types, amounts, and new delivery facilities.

5
6
7
8
9 WAC 463-42-11A CONTENT -- HISTORICAL, ARCHAEOLOGICAL, AND
10 RECREATIONAL SITE PRESERVATION/CREATION. The applicant shall list all
11 historical, archaeological, and recreational sites within the area
12 affected by construction and operation of the facility and shall then
13 describe how each will be impacted by construction and operation.

14
15
16
17
18 WAC 463-42-11B CONTENT -- SOCIOECONOMIC IMPACT. ~~The applicant~~
19 **AT LEAST 90 DAYS PRIOR TO THE FINAL CONTESTED**
~~shall describe the primary and secondary positive and negative impacts~~
20 **HEARING THE APPLICANT SHALL SUBMIT A DE-**
~~upon the socioeconomic environment, including those upon units of~~
21 **TAILED SOCIOECONOMIC IMPACT STUDY WHICH**
~~local government, which may occur as a result of construction and~~
22 **IDENTIFIES PRIMARY AND SECONDARY AND POSITIVE**
~~operation of the facility and appurtenances.~~ The applicant shall then
23 **AS WELL AS NEGATIVE IMPACTS ON THE SOCIOECONOMIC**
24 **ENVIRONMENT WITH PARTICULAR ATTENTION AND ANALYSIS**
~~impacts. The applicant shall at least address subject matter pertaining~~
25 **OF IMPACT ON**
~~to~~ population, work forces, property values, housing, traffic, health
26 and safety facilities and services, education facilities and services,
27 **LOCAL ECONOMY**
and ~~economic impact.~~

PROCEDURE/GUIDELINES: APPLICATIONS
FOR SITE CERTIFICATION

WAC 463-42-010 PURPOSE AND SCOPE -- This chapter sets forth guidelines for preparation of applications for energy facility site certification pursuant to Ch. 80.50 RCW in addition to delineating certain initial-stage procedures.

WAC 463-42-020 BASIC REQUIREMENT -- FULL DISCLOSURE BY APPLICANTS. It is recognized that these guidelines can only be comprehensive in a relative sense. Therefore, and in addition to the other guidelines contained herein, the Council adopts the basic guideline that an applicant for site certification must identify in the application all information known to the applicant which has a bearing on site certification.

WAC 463-42-030 APPLICATION -- WHERE FILED. Applications for site certification shall be filed with the Council at the Council office.

WAC 463-42-040 APPLICATION -- FORM AND NUMBER OF COPIES. Applications shall be on 8-1/2 by 11" sheets, in loose-leaf form with a hard cover binder. Thirty-five (35) copies of the application shall be supplied to the Council, and two (2) copies to each county, and one (1) copy to each port district in which the site is located at the time that the original is filed. In addition, one (1) copy shall be supplied to each intervenor on admission to the proceedings. Information later submitted shall be by page-for-page substitutions suitable for insertion in the application binder.

WAC 463-42-050 APPLICATION -- ORGANIZATION: INDEX. The contents of the application may be organized in any reasonable and logical manner, including the substitution of an environmental report prepared for the Nuclear Regulatory Commission or other federal agencies provided that it is supplemented as necessary to comply with this chapter. Applicants are encouraged to organize and present information in a manner which avoids repetition and internal cross-referencing. The contents of the application shall be indexed so that specific reference is made to each applicable guideline contained in this title.

WAC 463-42-060 APPLICATION -- SPECIFIC CONTENTS AND APPLICABILITY. It is recognized that not all sections of these guidelines apply equally to all proposed energy facilities. If the applicant deems a particular section to be totally inapplicable the applicant must justify such conclusion in response to said section. The applicant must address all sections of this chapter and must substantially comply with each section, show it does not apply or secure a waiver from the Council. Information submitted by the applicant shall be accompanied by a certification by applicant that all EFSEC application requirements have been reviewed, the data have been prepared by qualified professional personnel, and the application is substantially complete.

WAC 462-42-070 -- OPTIONAL APPLICATION FORM AND CONTENT: The applicant has two options for submitting an application:

1. The applicant may submit an application initially satisfying WAC 463-42-060 or;
2. The applicant on agreement to extend the Council review period by 90 days, may complete an initial application form provided by the Council and requiring descriptions of the applicant, the project, the site and an application completion schedule. The completed initial application form together with compliance with WAC 463-42-080 (1, 2,) shall be deemed sufficient only for the purpose of the land use and zoning ordinance consistency determination provided for in RCW 80.50.090(1, 2). Further Council consideration of the proposed site requires compliance with the remainder of this chapter.

WAC 463-42-080 -- OPTION (2) PROCEDURAL SCHEDULE: The following schedule shall be followed by an applicant utilizing option (2) of WAC 463-42-070:

1. Application form filed with fee,
2. Within 30 days of filing, the applicant shall provide copies of all county or regional land use plans and zoning ordinances pertaining to the site, and comply with WAC 463-42-200,
3. Within 90 days of filing, the applicant shall comply with WAC 463-42-060
4. Generally, the commencement of prehearing procedures or conferences will not be scheduled until at least 60 days after the applicant complies with WAC 463-42-060. However, upon a showing that a prehearing conference is needed or would be useful in advance of the scheduled time period, the Council may schedule such conference.

WAC 463-42-090 APPLICATION -- DESIGNATION OF AGENT. The applicant shall designate an agent to receive communications on behalf of the applicant.

WAC 463-42-100 APPLICATION -- FEE. The statutory fee shall accompany an application and shall be a condition precedent to any action by the Council. Payment shall be by a cashier's check payable to the State Treasurer.

WAC 463-42-110 CONTENT -- GRAPHIC MATERIAL. It is the intent that material submitted pursuant to these guidelines shall be descriptive and shall include illustrative graphics in addition to narration. This requirement shall particularly apply to subject matter that deals with systems, processes, and spacial relationship. The material so submitted shall be prepared in a professional manner and in such form and scale as to be understood by those who may review it.

WAC 463-42-120 CONTENT -- SOURCES OF INFORMATION. The applicant shall disclose sources of all information and data and shall identify all pre-application studies bearing on the site and other sources of information.

WAC 463-42-130 CONTENT -- CONSTRUCTION AND STUDY SCHEDULES. The applicant shall furnish a brief description of all present or projected construction schedules and schedules for environmental studies which are necessary to complete the application. The studies descriptions should outline their scope and indicate projected completion dates.

WAC 463-42-140 CONTENT -- POTENTIAL FOR FUTURE ACTIVITIES AT SITE. The applicant shall describe the potential for any future additions, expansions, or further activities which might be undertaken by the applicant on or contiguous to the proposed site.

WAC 463-42-150 CONTENT -- ANALYSIS OF ALTERNATIVES: The applicant shall provide an analysis of alternatives for site, route, and other major elements of the proposal.

WAC 463-42-160 CONTENT -- SAFETY STANDARDS COMPLIANCE. The applicant shall identify all federal, state, and local health and safety standards which would normally be applicable to a project of this nature and shall describe methods of compliance therewith.

WAC 463-42-170 CONTENT -- DESCRIPTION OF APPLICANT.

The applicant shall provide an appropriate description of the applicant's organization and affiliations for this proposal.

WAC 463-42-180 CONTENT -- SITE DESCRIPTION. The appli-

cation shall contain a description of the proposed site indicating its location, prominent geographic features, typical geological and climatological characteristics, and other information necessary to provide a general understanding of all sites involved, including county or regional land use plans and zoning ordinances.

WAC 463-42-190 CONTENT -- LEGAL DESCRIPTIONS AND

OWNERSHIP INTERESTS. The application shall contain a legal description of the site to be certified and shall identify all nonprivate ownership interests in such land.

WAC 463-42-200 CONTENT -- LAND USE PLANS AND ZONING

ORDINANCES. As part of the application, the applicant shall furnish copies of adopted land use plans and zoning ordinances, including the latest land use regulation and a survey of present land uses within the following distances of the immediate site area:

1. In the case of thermal power plants, 25 miles radius;
2. In the case of petroleum refineries 10 miles radius;
3. In the case of petroleum or LNG storage areas or underground natural gas storage, 10 miles radius from center of storage area or well heads;
4. In the case of pipe lines and electrical transmission routes, 1 mile either side of center line.

WAC 463-42-210 CONTENT -- CONSTRUCTION ON SITE. The

applicant shall describe the characteristics of the construction to occur at the proposed site including the type, size, and cost of the facility; description of major components and such information as will acquaint the Council with the significant features of the proposed project.

WAC 463-42-220 CONTENT -- CONTOUR MAPS. The applicant

shall include contour maps showing the original topography and any changes likely to occur as a result of energy facility construction and related activities. Contour maps showing proposed shoreline or channel changes shall also be furnished.

WAC 463-42-230 CONTENT -- ACCESS. The applicant shall describe existing roads, railroads, and other transportation facilities and indicate what additional access, if any, will be needed during planned construction and operation.

WAC 463-42-240 CONTENT -- ENERGY TRANSMISSION SYSTEMS. The applicant shall describe the routing, conceptual design, and construction schedule of all proposed associated facilities to be constructed.

WAC 463-42-250 CONTENT -- CRITERIA, STANDARDS, AND FACTORS UTILIZED TO DEVELOP TRANSMISSION ROUTE. The applicant shall indicate the federal, state, and industry criteria used in the energy transmission route selection and construction factors considered in developing the proposed design and shall indicate how such criteria are satisfied.

WAC 463-42-260 CONTENT -- MULTIPURPOSE USE OF TRANSMISSION ROUTES. The applicant shall indicate consideration of multipurpose utilization of rights of way and describe the measures to be employed to utilize, restore, or rehabilitate disturbed areas.

WAC 463-42-270 CONTENT -- SAFETY WHERE PUBLIC ACCESS ALLOWED. The applicant shall describe the means proposed to insure safe utilization of those areas under applicant's control to which public access will be granted.

WAC 463-42-280 CONTENT -- RADIATION LEVELS. For facilities which propose to release any radioactive materials, the applicant shall set forth information relating to radioactivity. Such information shall include background radiation levels of appropriate receptor media pertinent to the site. The applicant shall also describe the proposed radioactive waste treatment process, the anticipated release of radionuclides, their expected distribution and retention in the environment, the pathways which may become sources of radiation exposure, and projected resulting radiation doses to human populations. Other sources of radiation which may be associated with the project shall be described in all applications.

WAC 463-42-290 CONTENT -- PROTECTION FROM NATURAL HAZARDS. The applicant shall describe the means employed for protection of the facility from earthquakes, flood, tsunami, storms, avalanche or landslides, and other major natural disruptive occurrences.

WAC 463-42-300 CONTENT -- SECURITY CONCERNS. The applicant shall describe the means employed for protection of the facility from sabotage, vandalism and other security threats.

WAC 463-42-310 CONTENT -- EMERGENCY PLANS. The applicant shall describe emergency plans to assure the public safety and environmental protection on and off the site in the event of a natural disaster or other major incident and further, will identify the specific responsibilities which will be assumed by the applicant.

WAC 463-42-320 CONTENT -- EARTH REMOVAL. The applicant shall describe all procedures to be utilized to minimize erosion and other adverse consequences during the removal of vegetation, excavation of borrow pits, foundations and trenches, disposal of surplus materials, and construction of earth fills. The location of such activities shall be described and the quantities of material shall be indicated.

WAC 463-42-330 CONTENT -- SURFACE-WATER RUNOFF. The applicant shall describe how surface-water runoff and erosion are to be controlled during construction and operation to assure compliance with state water quality standards.

WAC 463-42-340 CONTENT -- LANDSCAPE RESTORATION. The applicant shall describe the procedures to be utilized to restore or enhance the landscape disturbed during construction (to include temporary roads).

WAC 463-42-350 CONTENT -- TRANSPORTATION IMPACT. The applicant shall identify all permanent transportation facilities impacted by the construction and operation of the energy facilities, the nature of the impacts and the methods to mitigate impacts. Such impact identification, description and mitigation shall, at least, take into account:

1. Expected traffic volumes during construction, based on where the work force is expected to reside;

2. Access routes for moving heavy materials and equipment;
3. Expected traffic volumes during normal operation of the facility;
4. For transmission facilities, anticipated maintenance access; and
5. Consistency with local comprehensive transportation plans.

WAC 463-42-360 CONTENT -- TRANSPORTATION FACILITY CONSTRUCTION. The applicant shall indicate the applicable standards to be utilized in improving existing transportation facilities and in constructing new permanent or temporary access facilities, and shall indicate the final disposition of new access facilities and identify who will maintain them.

WAC 463-42-370 CONTENT -- TRANSPORTATION OF FUELS AND WASTE PRODUCTS. Except where security restrictions are imposed by the federal government, the applicant shall indicate the manner in which fuels and waste products are to be transported to and from the facility, including a designation of the specific routes to be utilized.

WAC 463-42-380 CONTENT -- ENVIRONMENTAL SAFEGUARDS. GEOLOGIC AND HYDROLOGIC SURVEY. The applicant shall include the results of a comprehensive hydrologic and geologic survey showing conditions at the site, the nature of foundation materials, and potential seismic activities.

WAC 463-42-390 CONTENT -- WATER SOURCE AND USAGE. The applicant shall indicate the source and the amount of water required during construction and operation of the plant and show that it is available for this use and describe all existing water rights, withdrawal authorizations or restrictions which relate to the proposed source.

WAC 463-42-400 CONTENT -- WATER SUPPLY. The applicant shall describe the location and type of water intakes and their impact on ground and surface waters.

WAC 463-42-410 CONTENT -- COMPATIBILITY WITH WATER QUALITY STANDARDS. The applicant shall demonstrate that facility construction and/or operational discharges will be

compatible with and meet state water quality standards.

WAC 463-42-420 CONTENT -- SPILLAGE PREVENTION AND CONTROL. The applicant shall describe all spillage prevention and control measures to be employed regarding accidental and/or unauthorized discharges or emissions, relating such information to specific facilities, including but not limited to locations, amounts, storage duration, mode of handling, and transport.

WAC 463-42-430 CONTENT -- SYSTEM OF HEAT DISSIPATION. The applicant shall describe both the proposed and alternative systems for heat dissipation from the proposed facilities.

WAC 463-42-440 CONTENT -- CHARACTERISTICS OF AQUATIC DISCHARGE SYSTEMS. Where discharges into water are involved, the applicant shall identify outfall configurations and show proposed locations. The applicant shall also describe fully the effluent distribution characteristics and the extent of dilution, showing plume characteristics under all discharge conditions.

WAC 463-42-450 CONTENT -- HYDROGRAPHIC STUDY OF WATERS. The application shall set forth all background water quality data pertinent to the site, and hydrographic study data and analysis of the receiving waters within one-half mile of any proposed discharge location with regard to: bottom configuration; minimum, average and maximum water depths and velocities; water temperature and salinity profiles; and other relevant characteristics which could influence the impact of any wastes discharged thereto.

WAC 463-42-460 CONTENT -- GROUND-WATER ACTIVITY. The applicant shall describe any changes in ground-water activity or quality which might result from project construction or operation.

WAC 463-42-470 CONTENT -- WASTEWATER TREATMENT. The applicant shall describe each wastewater source associated with the facility and for each source, the applicability of all known, available, and reasonable methods of wastewater control and treatment. Where wastewater control involves

collection and retention for recycling and/or resource recovery, the applicant shall show in detail the methods selected, including at least the following information: waste source(s), average and maximum daily amounts and composition of wastes, storage capacity and duration, and any bypass or overflow facilities to the wastewater treatment system(s) or the receiving waters. Where wastewaters are discharged into receiving waters, the applicant shall provide a detailed description of the proposed treatment system(s), including appropriate flow diagrams and tables showing the sources of all tributary waste streams, their average and maximum daily amounts and composition, individual treatment units and their design criteria, major piping (including all bypasses), and average and maximum daily amounts and composition of effluent(s).

WAC 463-42-480 CONTENT -- NPDES APPLICATION. The applicant shall include a completed National Pollutant Discharge Elimination System application.

WAC 463-42-490 CONTENT -- SOLID WASTES DISPOSAL. The applicant shall describe the disposition of all solid or semisolid construction and operation wastes including spent fuel, ash, sludge, and bottoms, and show compliance with applicable state and local comprehensive solid waste disposal plans.

WAC 463-42-500 CONTENT -- AIR POLLUTION CONTROL. The applicant shall identify all pertinent air pollution control standards. The application shall contain adequate data showing air quality and meteorological conditions at the site. Meteorological data shall include, at least, adequate information about wind direction patterns, air stability, wind velocity patterns, precipitation, humidity, and temperature. The applicant shall describe the means to be utilized to assure compliance with air quality and emission standards.

WAC 463-42-510 CONTENT -- AIR POLLUTION IMPACT. The applicant shall describe the extent to which facility operations cause visible plumes, fogging, misting, icing, or impairment of visibility, and changes in ambient levels caused by all emitted pollutants.

WAC 463-42-520 CONTENT -- EMISSION CONTROL. The applicant shall demonstrate that the highest and best practicable treatment for control of emissions will be

utilized in facility construction and operation. In the case of fossil fuel power plants and petroleum refineries, the applicant should deal with products containing sulphur and particulates. In the case of a nuclear-fueled plant, the applicant should deal with optional plant designs as these may relate to gaseous emissions.

WAC 463-42-530 CONTENT -- DUST CONTROL. The applicant shall describe for the area affected, all dust caused by construction or operation of the facility and shall describe how these are to be minimized or eliminated.

WAC 463-42-540 CONTENT -- ODOR CONTROL. The applicant shall describe for the area affected, all odors caused by construction or operation of the facility and shall describe how these are to be minimized or eliminated.

WAC 463-42-550 CONTENT -- INVENTORY OF POTENTIALLY AFFECTED VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE DESCRIBED. The applicant shall describe all vegetation, animal life, and aquatic life which might reasonably be affected by construction and/or operation of the energy facility and any associated facilities. Any endangered species or noteworthy species or habitat shall receive special attention. Assessment of these factors shall include density and distribution information.

WAC 463-42-560 CONTENT -- IMPACT OF CONSTRUCTION AND OPERATION ON VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The applicant shall describe the projected effect of facility construction and/or operation upon vegetation, animal life, and aquatic life.

WAC 463-42-570 CONTENT -- DESCRIPTION OF MEASURES TAKEN TO PROTECT VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The application shall contain a full description of each measure to be taken by the applicant to protect vegetation, animal life, and aquatic life from the effects of facility operation and construction. Specifically, the application shall set forth insurance, bonding or other arrangements made in order to replace or compensate for damage or loss to vegetation, animal life, or aquatic life.

WAC 463-42-580 CONTENT -- AESTHETICS. The applicant shall describe the aesthetic impact of the proposed energy facility and associated facilities and any alteration of surrounding terrain. The presentation will show the location and design of the facilities relative to the physical features of the site in a way that will show how the installation will appear relative to its surroundings.

WAC 463-42-590 CONTENT -- NOISE AND GLARE. The applicant shall describe the impact of lights, noise, and glare from construction and operation and shall describe the measures to be taken in order to eliminate or lessen this impact.

WAC 463-42-600 CONTENT -- ENERGY CONSUMPTION. The applicant shall generally describe the energy consumption during both construction and operation of the proposed facilities as to sources of supply, locations of use, types, amounts, and new delivery facilities.

WAC 463-42-610 CONTENT -- HISTORICAL, ARCHAEOLOGICAL, AND RECREATIONAL SITE PRESERVATION/CREATION. The applicant shall list all historical, archaeological, and recreational sites within the area affected by construction and operation of the facility and shall then describe how each will be impacted by construction and operation.

WAC 463-42-620 CONTENT -- SOCIOECONOMIC IMPACT. At least 90 days prior to the final contested hearing the applicant shall submit a detailed socioeconomic impact study which identifies primary and secondary and positive as well as negative impacts on the socioeconomic environment with particular attention and analysis of impact on population, work forces, property values, housing, traffic, health and safety facilities and services, education facilities and services, and local economy. The applicant shall then describe the means utilized to minimize or mitigate possible adverse impacts.

REP

WAC 463-12-100, 463-12-105, 463-12-110, 463-12-115,
463-12-120, 463-12-125, 463-12-130, 463-12-135, 463-12-140,
463-12-145, 463-12-150, 463-12-155, 463-08-020, and 463-08-023
are each hereby repealed.