



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Permanent Rule
 Emergency Rule

Agency: Energy Facility Site Evaluation Council

(1) Date of adoption: April 8, 1991

(2) Purpose: The purpose of WAC 463-42-680 is to establish an initial standard for site restoration of terminated projects.

(3) Citation of existing rules affected by this order:
Repealed:
Amended:
Suspended:

(4) Authority for adoption:
Statute: RCW 80.50.040
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR 91-03-132 on January 23, 1991 (date).
Describe any changes other than editing from proposed to adopted version:
The rule was revised to clarify that site restoration need only be to a reasonable approximation of the original condition in the absence of a different determination of level of restoration.

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules **Emergency Rules**
 31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

APR 15 1991

TIME: 4:23 ^{AM}_{PM}

WSR 91-09-040

NAME (TYPE OR PRINT)
C. ROBERT WALLIS

DATE
C. Robert Wallis

TITLE
VICE-CHAIR

DATE
4-8-91

NEW SECTION

WAC 463-42-680 SITE RESTORATION--TERMINATED PROJECTS. In the absence of a council determination as to the level of site restoration, restoration of the site to a reasonable approximation of its original condition prior to construction shall be required.