

**RCW 70A.15.3130 Department of health powers regarding radionuclides—Energy facility site evaluation council authority over permit program sources.** (1) The department of health shall have all the enforcement powers as provided in RCW 70A.15.3010, 70A.15.3140, 70A.15.3150, 70A.15.3160 (1) through (7), and 70A.15.3170 with respect to emissions of radionuclides. This section does not preclude the department of ecology from exercising its authority under this chapter.

(2) Permits for energy facilities subject to chapter 80.50 RCW shall be issued by the energy facility site evaluation council. However, the permits become effective only if the governor approves an application for certification and executes a certification agreement under chapter 80.50 RCW. The council shall have all powers necessary to administer an operating permits program pertaining to such facilities, consistent with applicable air quality standards established by the department or local air pollution control authorities, or both, and to obtain the approval of the United States environmental protection agency. The council's powers include, but are not limited to, all of the enforcement powers provided in RCW 70A.15.3010, 70A.15.3140, 70A.15.3150, 70A.15.3160 (1) through (7), and 70A.15.3170 with respect to permit program sources required to obtain certification from the council under chapter 80.50 RCW. To the extent not covered under RCW 80.50.071, the council may collect fees as granted to delegated local air authorities under RCW 70A.15.2210, 70A.15.2260 (14) and (15), 70A.15.2270, and 70A.15.2230(7) with respect to permit program sources required to obtain certification from the council under chapter 80.50 RCW. The council and the department shall each establish procedures that provide maximum coordination and avoid duplication between the two agencies in carrying out the requirements of this chapter. [2020 c 20 § 1110; 1993 c 252 § 7. Formerly RCW 70.94.422.]