

TRANSMITTAL OF RULES ADOPTED

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 [X], being Order No. 1977-79-1
relating to (Name of rules or description of subject matter)

Deposit of funds by certificate holders

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

pursuant to Notice No. filed with the code reviser on
(date)
were regularly adopted as permanent rules of this agency at
(place) on
(date)
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.

(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
General Administration Building, Olympia, WA on August 8, 1977
(place) (date)
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 8th day of August 19 77.

STATE OF WASHINGTON
FILED

AUG 10 1977

CODE REVISER'S OFFICE
DOCKET #8327 FILE # 1

Energy Facility Site Evaluation Council
(AGENCY)
Roger Polzin
By Executive Secretary
Title

NOTES:
1Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
2Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
3Unless 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.

State of Washington

Energy Facility Site Evaluation Council

(name of governing body)

(agency name, if applicable)

Resolution No. 125

Administrative Order No. 1977-79-1

(1) Be it resolved by the Energy Facility Site Evaluation Council State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

after due notice and in a meeting open to the public, held at on as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this governing body, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

promulgate and adopt as emergency rules of this governing body, the annexed rules:

We, Energy Facility Site Evaluation Council, find that an emergency exists and that the foregoing order 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 public interest. A statement of the facts constituting such emergency is: Passage of chapter 371, Laws of 1977, 1st Extraordinary Session with emergency clause precluding development of permanent rules, failure to adopt emergency rules specifying amount of funds to be deposited by certificate holders would mean that certificate holders would have to deposit funds not immediately needed by Council, thereby resulting in unnecessary added costs to utility rate payers. Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(2) Pursuant to the requirements of RCW 34.04 (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.
(b) This rule is promulgated pursuant to RCW Section 16, Chapter 371, 1st Ex. Sess. which directs that the Energy Facility Site Evaluation Council

has authority to implement the provisions of Section 16 specifying amount of funds to be deposited by certificate holders.

- (c) This rule is promulgated under the general rule-making authority of the

as authorized in RCW

(3) This order after being first recorded in the order register of this governing body shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED August 8, 1977.

By Roger Polzin Executive Secretary Title

Resolution No. 125

WHEREAS, Section 16 Chapter 371, laws of 1977, first extraordinary session, authorizes the charging of certificate holders for costs incurred for inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction and operations of the facility; and

WHEREAS, Section 16 of the above referenced statute provides that each certificate holder shall deposit twenty thousand dollars payable to the State Treasurer, or such other amount as may be specified by Council rule, to cover such monitoring costs; and

WHEREAS, permanent rules to implement this section are currently being developed by the Council;

NOW, THEREFORE, BE IT RESOLVED by the Energy Facility Site Evaluation Council that the following is hereby adopted as a temporary, emergency, rule of the Council and shall be forwarded to the Code Revisers office for filing:

Each certificate holder shall deposit five hundred dollars (\$500.00) to the credit of the Washington State Treasurer to cover costs of monitoring by the Council to determine compliance with terms of the site certification agreement.

This rule is necessary for the public health, safety and welfare, and shall be effective immediately.

Dated this 8th day of August, 1977.

WASHINGTON STATE ENERGY FACILITY
SITE EVALUATION COUNCIL

BY Lawrence B. Bradley
Lawrence B. Bradley
Chairman

ATTEST:

BY Roger Polzin
Roger Polzin
Executive Secretary

APPROVED AS TO FORM

BY Thomas F. Carr
Thomas F. Carr
Assistant Attorney General

NEW SECTION.

463-54-035 DEPOSIT BY CERTIFICATE HOLDERS.

Each certificate holder shall deposit five hundred dollars (\$500.00) to the credit of the Washington State Treasurer to cover costs of monitoring by the Council to determine compliance with terms of the site certification agreement.